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☞ *We send to each of our Subscribers with this Number a* SUPPLEMENT *containing a report of the Private Bill Business in Parliament during the last two weeks. These reports were prepared for publication in the Journal, but excluded in consequence of various claims upon our columns. Opinions differ as to the value of such reports, as compared with other matters which they would displace, and we have therefore determined to submit the question to our Subscribers, and to request them to favour us with their views upon it. Unless we receive during the next week some strong testimonies to the utility of these reports, we shall conclude that it is desirable to discontinue them. The report for the first week would have occupied two columns of the Journal. In future weeks we believe they would not have extended beyond half or three quarters of a column.*

THE SOLICITORS' JOURNAL.

LONDON, MAY 23, 1857.

ATTORNEY'S LIABILITY FOR NEGLIGENCE.

In our number of last week, we gave an outline of two cases illustrating the liabilities and dangers to which attorneys may be exposed at the hands of a jury, and we now revert to the subject as one of considerable importance. Our readers may remember, that, in the first case, that of *Chapman* v. *Van Toll*, the plaintiff, an attorney at Richmond, sued a widow lady to recover a sum slightly under £50, for work and labour done by him as an attorney. The defendant had lent £1,000 to a Captain ROBERTS on the security of his bond. A portion was repaid, but Mrs. VAN TOLL was unable to obtain payment of the residue, and applied to the defendant to assist her in recovering it. He instructed his London agent to take the necessary proceedings, under the advice of a special pleader, and a writ was issued against Captain ROBERTS. Two days after its service, Captain ROBERTS wrote to the defendant, acknowledging that a balance was still due to her, but denying that it was so large as she asserted. The plaintiff and his agent were unfortunately ignorant of the clause in the Common Law Procedure Act, which permits an immediate reference to the Master when nothing more is in dispute between the parties than a mere question of account. A declaration was filed, the proceedings went on in the regular course, and the cause was set down for trial. Before the parties came into court it was arranged that it should be referred to the Master to state the account. The attorney sued his client for the costs of these proceedings; and whether or not his negligence disentitled him from recovering was the point at issue in *Chapman* v. *Van Toll*. The jury, under the direction, and with the approbation, of Lord CAMPBELL, the presiding judge, found a verdict for the defendant. They would not even allow the plaintiff's costs down to the service of the writ. We cannot see how this could possibly be right, because the Act expressly says that the immediate reference to the Master shall only be made after the issuing of a writ, and the services of the plaintiff down to the period when the writ was issued were not only useful but indispensable. However, on the main question we do not wish to say much against the verdict. The punishment inflicted on the attorney for a not very culpable negligence was certainly severe. But it is one of the risks to which a professional man knowingly exposes himself, that he is liable to suffer if he omits to give his clients the benefit of any of the great changes which the Legislature makes in our legal system. No cautious man would ever think of conducting an action without looking closely to the provisions of the Common Law Procedure Act. When a whole series of proceedings are, under the existing law, totally unnecessary, the public have perhaps a right to expect that the legal adviser who institutes them should pay for them. Mr. CHAPMAN'S was a hard case, for he appears to have been guilty of no greater ignorance than the pleader who drew the pleadings; but still, hard cases must sometimes occur, and a hard case is not necessarily an unjust one. Whatever argument can be found to impeach this verdict will no doubt be urged in the most forcible manner by Sir FREDERICK THESIGER in support of the rule *nisi* which he obtained in the case yesterday.

But the next case was one of palpable injustice. In the second suit the parties were reversed, and the client now sued the attorney. She insisted that by his negligence she had lost the amount due to her on her bond, for Captain ROBERTS was a bankrupt at the time when judgment was actually obtained; whereas, if the judgment had been obtained six months before, as it was assumed it might have been, had an immediate reference been made to the Master, Captain ROBERTS would have been able to satisfy the debt. The evidence to prove this was of the most unsatisfactory description. It appeared that ROBERTS was married about a month after the time when the writ was issued, and that on his being arrested by another creditor immediately after his marriage, his father-in-law paid off the debt for which he was arrested. It also appeared, that, at some period or other after the issuing of the writ, he had drawn from an insurance society a sum of £150. Captain ROBERTS was called by the defendant, and swore positively, that if he had been pressed by the plaintiff directly after the issuing of the writ, he could not have paid the debt, and that his only chance of meeting his liabilities was by having time given him. These were the facts; and the jury had therefore to calculate the difficult problem of the difference between the likelihood of the debt due to Mrs. VAN TOLL having been paid at one or other of two periods by a man penniless at both. There was certainly the chance that if ROBERTS had been pressed in the first flush of his wedded happiness his pitying father-in-law might have been willing to assist him further than he actually did. The question, therefore, resolved itself into an estimate of a sum which a father will give to secure his daughter a quiet honeymoon, and the jury seem to have had the most liberal views on the subject. The amount claimed by the plaintiff was £744, and the amount of damages given her by the jury was £644. There is a story of a judge saying of an intricate case, "A jury will settle this case, but how they will settle it God only knows." Human reason is incapable of ascertaining how the jury arrived at the sum of £644. They estimated the probalility of a father-in-law paying £744 for a son-in-law who had already cost him £378 as £100 less than absolute certainty. This is a wonderful piece of arithmetic, and may incline us to think that few of the jurymen were troubled with marriageable daughters. However, if Mr. CHAPMAN'S counsel be successful in supporting the rule *nisi* which has been granted for a new trial, this embarrassing question of probabilities may exercise the ingenuity of another jury.

Now, we think this case is worth notice, because it is evident that the sufferer suffered simply on account of his being an attorney. The jury considered themselves the avengers of society. Here they had caught one of their enemies making a mistake, and he should pay for it. They knew the history of the trial of the previous

day. They had studied the address of Lord CAMPBELL, and learned that in the opinion of that eminent judge Mr. CHAPMAN had received a salutary lesson. If they got hold of an attorney who wanted salutary lessons, they were not going to lay the rod lightly on his back. We may guess how they enjoyed the office. Lord CAMPBELL, in his life of Lord KENYON, recently published, complains that Lord KENYON never combated the prejudices of juries, and especially encouraged rather than checked "that ignorant dislike of attorneys which so often works to the perversion of justice." What else but this dislike could have been at work when a jury estimated at £644 a probability which would have been handsomely measured by a £10 note? These verdicts, with a moral to them, intended to show the noble and patriotic feelings of the twelve high-minded men in the box, are a serious drawback to the many advantages of trial by jury. Vindictive verdicts hurt more than the individual against whom they are directed. They confuse the popular sense of justice, and undermine the general respect for law and legal institutions. Here the jury probably thought they were doing a very fine thing in making an attorney smart. In reality they have only gratified a foolish and vulgar prejudice, and men can never gratify their prejudices without doing harm both to themselves and others.

PROSECUTION OF THE BRITISH BANK DIRECTORS.

The judges of England—whether of the superior or inferior courts—are absolutely free from suspicion of any species of corruption. Their public life is a daily fulfilment of the promise *nulli vendemus, nulli negabimus aut differemus, rectum vel justitiam.* Still there are those who, loyally attached to justice, are yet not indisposed to flirt with popularity. Every frequenter of Westminster Hall knows at least one of the bench who is never so happy as when he can engraft some bit of clap trap on a judgment in which Solomon himself would have "concurred"; and who often contrives to indorse with his judicial approval the popular sentiment of the day. To this class, however, Mr. Commissioner HOLROYD does not belong. He has no particular ambition to win applause, and is not very likely to be influenced by the current of other men's opinions, or to be swayed by the wishes of the many. Hence, we especially rejoice in the indignant tone of his judgment in the case of the Royal British Bank, of which we gave some account in our last impression; and hence, also, his opinion that the directors were not merely criminals *in foro conscientiæ*, but were liable to prosecution, derives additional weight. The opinion of the Commissioner, it appears, has been adopted by the law officers of the Crown. Sir RICHARD BETHELL has announced his determination to try, without a moment's delay, whether the law, as it now stands, is not strong enough to meet the case; and if, as we heartily hope, the experiment should prove successful, the *Nemesis* of triumphant fraud will have been to a considerable extent satisfied.

That Mr. HOLROYD has come to a right conclusion with regard to the liability of the directors to criminal proceedings, few, we think, will deny. It certainly struck us with surprise that he made no allusion, in his judgment, to the 30th section of the 7 & 8 Vict. c. 111, by which it is made a misdemeanor under that Act, punishable with imprisonment with or without hard labour, for the space of three years, for any member of a company adjudged bankrupt to have made, or be privy to the making of, (in contemplation of the bankruptcy), any false or fraudulent entry in any document with intent to defraud the creditors or defeat the object of the bankruptcy law; but as he has not done so, we can only conclude, that, in the present case, his opinion is, that the *common law* offence of which we are about to speak is that which has been committed. Now, with regard to this offence, the very kernel of the matter is contained in that proposition which is to be found in *The King* v. *Holland*, in the fifth volume of the "Term Reports," viz. that where a public duty is thrown on a body, consisting of several persons, each is individually liable for a breach of that duty; as well for acts of commission as of omission—that is, each individual of the body who does not do what in him lies to discharge his public duty, contracts, by his negligence, individual guilt. Hence, all that is requisite to fix with such guilt, and consequently with criminal responsibility, the governing body of the British Bank, is to establish, in the first place, that a public duty was thrown on them collectively by law; and, then, that in relation to that duty there was conduct amounting to misfeasance or nonfeasance. It is not the *incorporated* but the *associated* character of the parties to be prosecuted, which is important. And it happily appears to be law, that where concurrence in nonfeasance or participation in misfeasance can be traced home to any individual of a body on which public duties are thrown, such individual may be punished, as a misdemeanant, for such his own default. And if the body of which he is a member should happen to be a corporation, an indictment may be charged against him individually, instead of against the corporation. Such is the obvious conclusion to be drawn from the case in the "Term Reports," and such is the law laid down by Mr. GRANT in his valuable treatise on the law of corporations. The whole question, then, resolves itself into this: Can it be said that any public duty attached to the British Bank, and have acts of nonfeasance or misfeasance, with regard to that duty, been brought home to any of its directors or managing officers?

So far as regards the first of these questions, we own we think the reasons given by Mr. HOLROYD unanswerable. The bank was a company established by charter or letters patent from the crown, for the purpose of carrying on the business of banking—a business governed by the *lex mercatoria* adopted into our common law—and in the right conduct of which business, when carried on by a company with transferable shares freely negotiable in the market, the public is clearly interested. For it is a matter of universal concern that such a business as this should be properly managed, in as much as any person may buy shares therein, and general ruin and misery may be occasioned by any malversation on the part of its managers. Such, or to a like effect, was the line of argument adopted by the Commissioner, and we feel sure that it must commend itself to every unprejudiced person. The other ingredient required to the criminality of the directors individually—viz. that acts of nonfeasance or misfeasance (of which they were cognisant or participators) were committed in regard to this public duty, is a matter not of law but of fact, and can scarcely be dealt with by us in these columns. It is not our function to judge any one, and we would not willingly lend any additional weight to the objection which has been suggested against instituting a Government prosecution, namely, that the case of the directors had been already prejudged by the press, and that, in consequence, it might be feared that they would not have a fair trial. That such a fear, if genuine, is most groundless, we must, however, assert our belief; and, indeed, the late trial of the BACONS is, of itself, amply sufficient to vindicate the criminal tribunals of the country from such an imputation. In these days of journalism it is a sheer impossibility (we doubt whether it would be advisable) to suppress all observations on a case interesting to the public before its final decision; but it should be some consolation to those charged with crime to reflect that when the day of trial actually arrives, it is far more probable that the guilty may escape, owing to the prudery of our existing law of evidence, than that the innocent will suffer from any out-of-doors' rumours.

Legal News.

The session promises a fair crop of useful measures. If the Government could contrive to pass good bills on the subjects it has already taken up, we should for our own part be very well content. The Attorney-General has stated the leading features of his bills for making fraudulent breaches of trust criminal, and for the winding-up of joint-stock banks, and both bills were read a first time last night. The former subject is one of extreme difficulty, and the bill when printed will demand the most careful consideration of every lawyer, and we hope that it will be thoroughly discussed in our columns. The Joint Stock Banks Bill will provide the necessary legal sanction to the compromise in the case of the Royal British Bank. Mr. Malins reminds the House that a bill substantially the same as that of the Attorney-General came down from the Lords last year, and was defeated in the Commons through the opposition of Irish members. If this bill had passed, says Mr. Malins, all the miserable litigation in the case of the Royal British Bank would have been obviated.

The present state of business in the offices of the Court of Chancery, demands the most serious attention of the authorities as well as of every practitioner in that court. Causes are now heard and disposed of by the judges with a celerity that leaves nothing to be desired, but the expedition thus attained in court is to a great extent nullified by delays in the various offices. It is most unfortunate that the hopeful reforms introduced a few years back should be thus impeded in their working, and that any pretence should be afforded for the outcry lately raised against the Court of Chancery in connection with the Testamentary Jurisdiction Bill. We have received a letter upon this subject from a firm of extensive practice, and we think that the following extract from it deserves consideration :—

"In the Accountant-General's office the delay is very great, and much greater than ought to exist. You have to wait several days for checks or powers of attorney when one ought to be abundant.

"We are sorry to say that there is as great delay at the Taxing Offices. At present, appointments to tax can only be obtained for the middle of June.

"Lastly, the Chief Clerks are full for a fortnight or three weeks after the opening of the offices. Every solicitor knows how this new system works, and no one can doubt but that these gentlemen are over-worked; the staff is too small; there wants an additional Chief Clerk if it is intended that this part of the business should give satisfaction.

"We are now fast approaching the long vacation, and unless something be done we expect complaints will arise from all quarters."

As regards the Accountant-General's office there may be room for difference of opinion as to the utility of various regulations; but so long as the rules exist, it is no just ground of complaint against the clerks that they observe those rules, nor ought the delay which such rules occasion to be referred to as proof that the department is over-worked. It may nevertheless be quite true that the system of the office might be greatly simplified, and also that, if it is to remain unchanged, more clerks are necessary to work it. We apprehend, however, that upon the justice of the two other complaints brought forward in the above extract, the entire profession is of one mind. Some, indeed, may think that more judges are wanted, some that the judges are enough and that they should have more clerks, others that the staff both of judges and of clerks should be increased. It would certainly appear that the present condition of the Judges' Chambers is not what was contemplated by the originators of the plan for abolishing the Masters' offices. It was an essential feature in that scheme that the judge should be in chambers accessible on appeal from his clerk immediately, and without any cumbrous and costly forms. Now it is obvious, that, however willing the judges may be to carry out this principle, they cannot do so if obliged to sit every day in court. They make decrees at a rate of speed of which no one can complain, but the working out of those decrees, so far as depends upon the judge, must be provided for in the afternoon when the court has risen and it might be supposed that the day's work was done. If the judge is expected to take an active part in chamber business, it is clear that he must dedicate more of his time to it. But if it be thought that all or nearly all matters worthy of the attention of the judge may best be discussed in court, the necessity for appointing another chief clerk to each of the existing judges becomes altogether undeniable. Whether by judges or by clerks, the business ought to be so done that complaints such as we have now published should not be heard. The delay thus arising is naturally ascribed by the public to faults in the procedure of the court, whereas it really proceeds from a mistaken and most pernicious economy, which denies to the offices a staff adequate to the work they have to do. This is not the first and is not likely to be the last complaint, and we much fear, that, as the pressure of business increases from week to week, the obstructions in the Judges' Chambers will become greater, and the public will grow confirmed in the belief that procrastination is ineradicable from the Court of Chancery. There seems to be no doubt that the Taxing Masters have more work to do than they can accomplish without great delay, and if this be so—and the fact is not difficult to ascertain—by all means appoint more Masters. The Minister or Department of Justice, when we have one, may be expected to look into all these matters; but in the meantime it is the duty as well as the interest of the solicitors to trace to their true origin delays which, in the absence of explanation, are pretty certain to be ascribed to them.

IN THE QUEEN'S BENCH.

Chapman v. *Van Toll; Van Toll* v. *Chapman.*

On motion of Sir F. *Thesiger*, rule nisi granted for new trial in each action, on the grounds of *mis-direction* and *verdict against evidence* in *both*, and on the ground of *excessive damages* in *Van Toll* v. *Chapman.*

Argument of Sir F. *Thesiger* was that gross negligence not shown, and gross negligence necessary. He contended that the case of *Van Toll* v. *Roberts* was not one within the 3rd section of the Common Law Procedure Act, 1854, so as that the attorney was guilty of negligence in not having gone before a judge to get the matter referred. This was not a matter "which could not conveniently be tried in the ordinary way," to bring it within the section. There must be difficult and complicated matters of account to bring the case within it. There was, therefore, no gross negligence.

Purvis v. *Landill* (12 Cl. & Fin. 21), was referred to, and the words of Lord *Campbell* were that "gross ignorance or negligence was necessary."

MANCHESTER LAW ASSOCIATION.

The following memorial, numerously signed by solicitors practising in Manchester, has been presented to the Lord Chancellor, and to the Attorney and Solicitor-General, with the sanction of the Association :—

"That inasmuch as, by the law of this country, judgments and Crown debts, when duly registered, become a binding lien upon all the lands of the debtor, it is necessary upon every sale or mortgage to search the register to be satisfied that there is no judgment or Crown debt registered against the vendor or mortgagor.

"That similar searches must be made to ascertain that he has not incumbered the land with annuities, and that he is not an uncertificated bankrupt or an insolvent, and that the property is not affected by any *lis pendens.*

"That, Crown debts not requiring re-registration, the search for them must be continued back for an indefinite period; and that prior to 1839 the difficulty and expense of the search increase, as the registers are kept partly at the Queen's Remembrancer's Office, and partly at Carlton Ryde.

"That, if the land is situate in the county palatine of Lan-

caster, in addition to the searches already mentioned, the register at Preston must be searched.

"That it is not sufficient to search against the immediate vendor or mortgagor, but the search must be extended to all persons who have had any interest in the land for some time back.

"That the expense of these numerous searches forms a serious item in conveyancing costs, and with the delay they occasion tends to impede the free transfer of land, and in the case of small properties especially the expense is felt to be an intolerable hardship.

"That, in order to avoid this expense, purchasers very frequently prefer the risk of not searching at all.

"That from practical experience your memorialists feel justified in asserting that the incumbrances found upon search are not one per cent. upon the number of searches made, and they therefore submit that a comparison of the hardship inflicted upon a large portion of the population, with the casual benefit derived by a very small minority, points to the expediency of entirely liberating land from the liens adverted to.

"That the maxim '*vigilantibus non dormientibus jura subveniunt*' may fairly be applied to judgment creditors; and that they have no equitable claim to be protected at the expense of purchasers and mortgagees.

"Your memorialists think, however, that, as a compensation to the judgment creditor, he should be provided with a more efficient remedy than the writ of *elegit*, under which the creditor's remedy is confined to the rents and profits, and that a debtor's real estate, including equities of redemption (which are exempted from the operation of an *elegit*), should be made saleable after due notice; and they also suggest, that the judgment creditor should have the power of enforcing from the debtor a discovery of what the property of the debtor consists, for which power the Common Law Procedure Act, 1854, sec. 60, affords a precedent. They conceive that a scheme might readily be devised by which these objects might be attained without unduly pressing upon the debtor, and they venture to suggest that the Bankruptcy Courts should be the tribunals to grant the order for sale.

"As respects the claim of the Crown, your memorialists refer with pleasure to the sentiments of the late eminent conveyancer, Mr. Preston, who many years ago maintained, that, 'in a country like Great Britain, it is far better that the King, or now in more accurate language the public, should lose the debts of those who have been trusted, than that the industry of honest and *bonâ fide* purchasers should be sacrificed by the misfortunes or dishonesty of Crown debtors.'

"As regards annuities, your memorialists submit that it should be made imperative on the annuitants, by indorsing a memorandum on the principal title deeds, or by insisting on the deeds being delivered over to a trustee, or by some other similar expedient, to insure that any person dealing with the property should have notice of the incumbrance.

"Your memorialists think the Court would seldom find difficulty in protecting suitors in Chancery against fraudulent sales; and even assuming the possibility of an occasional fraud resulting from the closing of the *lis pendens* register, yet that exceptional cases ought not to stand in opposition to the public interests.

"Your memorialists also submit, that it would be but a fair set off against the privileges which creditors enjoy as against the public under the 'reputed ownership' provisions of the bankrupt and insolvent laws, if sales by bankrupts or insolvents, who are permitted by their creditors to appear to the world as owners of property, were declared valid as against the creditors.

"Your memorialists have observed with satisfaction the enactment contained in sec. 1 of the Mercantile Law Amendment Act, 1856, as indicating a disposition in the Legislature to afford protection to *bonâ fide* purchasers.

"Your memorialists, therefore, pray that your Lordship will be pleased, in conjunction with the law officers of the crown, to bring the subject of this memorial under the consideration of the Government, with a view to the entire abolition of the various latent liens upon land to which your memorialists have referred."

SAFE CUSTODY OF ORIGINAL WILLS.

The following letter has been addressed to the Editor of the *Times*:—"Among the evils of the testamentary jurisdiction hitherto exercised by the Ecclesiastical and Manorial Courts have been the multiplicity of registries where original wills are deposited, and the occasional insecurity of their custody. It was to be hoped that the Lord Chancellor's bill would have furnished a remedy for both these evils, and that it would have provided that all original wills should be transmitted to the General Registry, whereby security of deposit would have been combined with convenience of reference. It is proposed, however, that copies only of the wills, of which probate is to be granted by the District Registrars should be transmitted to London, while the originals are to remain in the custody of the District Registrars. This arrangement seems to be highly objectionable in principle, and in practice it will be fraught with the greatest danger, as there is no provision whatever in the Bill for the construction of district registries. The Bill speaks, indeed, of "the Public Registry of the District," but its framers have entirely overlooked all provision for a building which shall answer such a description. If, however, there are to be thirty-seven District Registrars, to whom a very large proportion of original wills will be confided, the public interest demands that as many district registries should be constructed, dry, fireproof, and readily accessible. A back room in the District Registrar's office, liable to fire, and exposed to spoliation, would prove but a sorry substitute for the existing diocesan registries which the cathedrals supply, and which althongh sometimes damp, are always secure from robbery and fire. The construction of thirty-seven district registries will, it must be admitted, entail a heavy charge upon the State, but the alternative would be monstrous, unless, indeed, the principle which is applied in the 84th clause to all past wills should be extended to all future wills. There seems to be no good reason why all original wills should not be transmitted to the General Registry, while the copies should be retained in the office of the District Registrar. There would also result from this arrangement an incidental advantage, that every original will would pass under the eye of the principal Registrars in London."

SUMMARY DILIGENCE ON BILLS OF EXCHANGE.

(From the Mercantile Test.)

We have now to invite the attention of our mercantile readers, on both sides of the Tweed, to a subject in which their pecuniary interests are deeply concerned. They will remember that, in the session of Parliament before last, Lord Brougham introduced a Bill into the House of Lords, by which it was proposed to adopt, in the law of England, the Scottish system of summary diligence for recovery on bills of exchange. By that system, as our mercantile readers well know, an action at law is entirely excluded. The law of Scotland, following the Roman law, and the law of all European nations—England alone excepted—holds that, when a man signs a bill of exchange, he acknowledges the debt, and gives a warrant of attorney to sign judgment in case the bill is not paid when it falls due. The Scottish system likewise provides, with due regard to the interests of the debtor, for staying proceedings, wherever he has an honest objection to the payment of the bill.

The Bill so introduced by his Lordship, proposed to give jurisdiction in summary diligence not only to the superior courts of common law in England, but to the county courts concurrently with the superior courts. This plan, which had been tested, not only by the experience of a century and a half in Scotland, but in the experience of many continental nations for even a longer period, was well received by both Houses of Parliament. But for a weighty reason fully disclosed in the parliamentary return now before us, professional jealousy was aroused; and by way of opposition or amendment, a Bill was introduced into the House of Commons by Mr. Henry Singer Keating, a member of the bar, adopting in part the principle of Lord Brougham's Bill, but making it still imperative to issue a writ of summons in every case for payment of a bill of exchange.

Lord Brougham's Bill, which passed the House of Lords three times with the unanimous approbation of all the law lords, was taken charge of in the House of Commons by Mr. Atherton, the eminent Queen's counsel. Mr. Atherton supported the Bill with great ability and energy at every stage of its progress; but professional interests prevailed against it, and Mr. Keating's Bill was preferred, and passed into law.

Mr. Keating's Act has been in operation for one year; and we have now to draw the attention of our readers to a Parliamentary return, just printed, which shows the manner in which the Act works for the profession of the law on the one hand, and for the merchants of England on the other.

By this return it appears that the number of writs issued in the English courts under Mr. Keating's Act, during the year 1856, was 23,166, and that the number of orders for leave to appear and defend was 852.

The average cost of each of those writs of summons is 2*l.* 15*s.*,

and the subsequent expense of obtaining judgment where the defendant does not appear, is £1, making together 3*l.* 15*s.* The sum total thus paid by the mercantile community to their English attorneys last year, for obtaining those 23,166 judgments on bills of exchange, was £86,776. Whereas in Scotland, the average expense of obtaining a judgment on a bill of exchange, instead of 3*l.* 15*s.*, is only 17*s.* 8*d.* We give the items of the cost:—

Notary's Charges for Protest and Stamp	£0	5	0
Paid recording Protest	0	6	0
Solicitor's Fee obtaining Judgment	0	6	8
	£0	17	8

And the cost of obtaining 23,166 judgments on bills of exchange in Scotland, instead of £86,776, as it is under Mr. Keating's Act, is only £22,972.

The mercantile community have thus been compelled to pay to their attorneys in England during the year 1856, £63,804 more than they pay for the same thing to their solicitors in Scotland.

If the House of Commons had passed Lord Brougham's Bill, which adopted the Scottish system in its purity, instead of Mr. Keating's, the merchants of England would have been saved that large sum of money last year, and in every year in all time coming, until Mr. Keating's Act shall be repealed. The merchants of the United Kingdom, at their great conference held in London last January, feeling the expensive character of Mr. Keating's Act, passed a unanimous resolution, not only in favour of adopting the entire Scottish system of summary diligence on bills of exchange, but in favour of applying it to money bonds, and to all other pecuniary obligations.

Lord Brougham's Bill amply provides for all the defects in Mr. Keating's Act. It has had the benefit of careful revision by Mr. Atherton and Sir Erskine Perry, and of re-revision by his Lordship himself. It may, therefore, be regarded as perfect a measure as legislative talent and experience can make it; and the time seems now to have arrived for considering whether the new Parliament should not be asked to adopt his Lordship's bill as an amendment on Mr. Keating's Act.

FROM THE NEW YORK CORRESPONDENT OF THE "TIMES."

The Cunningham trial has commenced. The public interest felt in the investigation is heightened by the simultaneous appearance of another crime in the rural districts, shrouded in equal mystery. Like all the great tragedies of life, from the first fall to Mrs. Manning and Mrs Cunningham, love was at the bottom of this. A labourer in the town of Newburg, going out early in the morning to finish sowing a field remote from any house, discovered in one of the furrows the nearly naked body of a handsome woman, the skull fractured, blood exuding from the nostrils, ears, and mouth, and the throat showing marks of strangulation. The few under-clothes that were on were arranged in an unskilful and unwomanly manner, showing that some masculine hand had probably tied them on after death, for the purpose of misleading and baffling inquiry. A cameo brooch found near the body was the only other clue to the mystery. The body was brought to Newburg, where, soon one, and then another, and another, without concert, recognised it as the body of a Miss Bloom. Inquiry was made, and it was found that Miss Bloom had disappeared since the preceding Tuesday, when she left (at 9 o'clock at night) in company with one Jenkins. Jenkins (a married man) confessed that he had driven her, at her own request, five or six miles in the country, about midnight had put her down within 200 feet of the house to which she was going, and returned instantly to Newburg. Miss Bloom's sister was sent for, and at once recognised the body. The features were much discoloured, but a marked scar over the left eyebroy, a sore upon the elbow, a mole above the right knee, and a very unusual formation of the little toe of the right foot were proofs of identity stronger even than the resemblance between the living and the dead face. The under-clothes and the cameo she had uever seen before. A surgical examination supplied a motive why a married man should wish to commit such a deed. Jenkins was arrested, and the deceased Miss Bloom was buried at the public expense in the midst of the assembled village. Scarcely, however, had the funeral train left the church when the supposed deceased reappeared, to divide with the actual victim the wonder of the crowd. The extraordinary piece of circumstantial testimony was overthrown, and the accused Jenkins was set free. I doubt whether the annals of criminal jurisprudence afford a more remarkable instance of the uncertainty of circumstantial evidence.

DEATH OF MR. JAMES FRESHFIELD.—By the decease of this able and indefatigable lawyer, at the age of fifty-six years, the profession has lost one of its most distinguished members, and a career of great and well-deserved success has prematurely closed. It is known to all our readers that the late Mr. James Freshfield was a man of remarkable abilities, of unwearied industry, and intense devotion to business; and that he had enjoyed throughout his life the best opportunities of displaying the great capacity he possessed. We believe that in the City the professional reputation of the deceased was almost unrivalled. He had a mind of rare judicial power, and upon all questions of mercantile law there was no sounder authority than Mr. Freshfield. But it was as the confidential adviser of the Bank of England that this eminent lawyer was best known both by the profession and by the commercial world. He was appointed solicitor to the Bank jointly with his father in the year 1830, and ten years afterwards, on the retirement of the elder Mr. Freshfield, the appointment was renewed to the deceased jointly with his brother Mr. Charles Freshfield. It will be readily understood by every one who is moderately acquainted with the history of the Bank of England during the twenty-seven years that the deceased had acted as its solicitor, how heavy was his responsibility, how urgent the need of prompt and sagacious judgment, and how grave the consequences of miscarriage. To advise the Bank upon all questions that needed the opinion of a lawyer during the commercial vicissitudes of so long a period was the work of no ordinary intellect. There can be little doubt that Mr. Freshfield sacrificed health and life by excessive devotion to the profession in which he had made himself so eminent. If a life of such unintermitted toil be necessary to attain to the place he occupied, we cannot, looking to the untimely close of his career, insist strongly that he should be an example to younger men; but, undoubtedly, the foundation of his success was laid in an assiduous study of his profession, which the legal aspirant would do well to imitate. One proof of his familiarity with legal questions may be found in our own journal of the 14th March, where we published his very valuable letters to Baron Rothschild on the proposed alteration in the law as to sales and pledges. Little did we then anticipate that a life so useful, energetic, and honourable would terminate so soon; and we are sure our readers will share our deep regret at the untimely close of a career so honourable.

THE NEW COURT AT THE GUILDHALL.—Two days' experience of this court has not removed, but strengthened, the objection we took the liberty of raising to its construction. There is but one door into it, and the seats for the bar are placed at the extreme further corner. The jurymen, witnesses, and spectators, and especially the latter, congregate round this door and will not disperse themselves over the seats provided for their accommodation. The result is, that it is difficult to communicate with any one out of court, and most troublesome for the bar, who are constantly going in and out, to force their way through the dense mass of humanity. Surely a second door might be broken into the court in the wall near the seats occupied by the bar. This would obviate the inconvenience above pointed out, and, moreover, would open a direct communication with the other Court of Exchequer. As it is apparent that the Lord Chief Baron intends to remove the seat of government to this building, it will always be in use; and on that score alone it is highly desirable that it should be rendered as perfect as circumstances will admit of. One more word, and we lay aside criticism. The whole roof is one huge skylight, and, though the glass is thick, and darkened somewhat, the rays of the sun still pour down both light and heat on the devoted barristers in most inconvenient excess. It would be desirable to erect some screen on the roof which might counteract this annoyance, which was alluded to yesterday by one of the learned counsel when addressing the jury. Subject to these remarks, we again tender the thanks of the public to the corporation for their recent improvements in and about the city courts, which reflect great credit upon their architect, Mr. Bunning.—*Times.*

IN RE J. NORTON, BANKRUPT.—Mr. Commissioner *Evans* said that the accounts were unvouched to a large amount. The question seriously arose what was to be done in such cases? The other day he refused to pass a bankrupt on similar accounts. On an appeal, however, to the Lords Justices, they in half an hour made themselves acquainted with the accounts, and passed the bankrupt's examination. In this case he was not satisfied, neither were the assignees, who, being conversant with the minutiæ of the bankrupt's business, possessed peculiar means of judging of the accuracy of his accounts. It

was said that better accounts could not be furnished. That might be so, but blank sheets of paper might as well be placed before him as those now furnished. The assignees objecting, he should adjourn the bankrupt's examination *sine die*. In the event of the Superior Court passing the bankrupt upon such accounts he hoped it would say why, because in such a case he did not see the use of people coming here to object to accounts.

In re A. B. Caistor, Bankrupt.—The bankrupt's father-in-law made a long statement. The bankrupt had married his daughter with every prospect of happiness. Some time after the marriage he ascertained, to his great surprise, that the bankrupt was leading a most dissipated life, spending his evenings with the lowest characters in the lowest taverns. He then ascertained from his daughter that this had been his course for about four years. The bankrupt's failure had, he contended, been occasioned by dissipation and idleness. The bankrupt, in reply, alleged, as the chief cause of any misconduct of which he had been guilty, that his father-in-law laboured under a mistake that he had conferred upon him an honour in accepting him as his son-in-law, and his wife had driven him to seek comforts and society abroad by prohibiting him from smoking his pipe at home. Whenever he thus infringed she threw open every window in the house. His wife had made his house a home more for her father than for himself, they (his father-in-law and his wife) being frequently occupied in private conversation and discussion. The *Commissioner* said it would have been better if these family quarrels had not been brought before the court. He could regard only the bankrupt's conduct as a trader, as exhibited by his books and such other evidence as had been laid before him.

Draftsmen of Parliamentary Bills.—The sum total paid by the several public departments during the year 1856, for drafting or settling the drafts of Parliamentary Bills was 6,334*l.* 7*s.* 2*d.*, which was thus allotted:—2,682*l.* 10*s.* for the Home Department; 54*l.* 12*s.* War Department; 372*l.* 4*s.* 6*d.* Admiralty; 91*l.* 13*s.* 4*d.* Board of Trade; 550*l.* Board of Health; 21*l.* 18*s.* Woods, Forests, and Land Revenues; 5*l.* 15*s.* Office of Public Works and Buildings; 425*l.* 11*s.* 4*d.* Crown Agent in Scotland; 1,600*l.* 15*s.* Statute Law Commission; 29*l.* 8*s.* Post-office; 500*l.* Chief Secretary's Office, Ireland.

Election Petitions.—The usual recognizances have been entered into to prosecute petitions against the returns for the undermentioned places:—Mayo, Cambridge, Athlone, Huntingdon (county), Rochdale, Sligo (borough), Pontefract, Wareham, Marlborough, Great Yarmouth, Maidstone, Sunderland, Maldon, Oxford, Tewkesbury, Lanark (county), Totness, Bury, Dublin (city), Lisburn, Bury St. Edmund's, Berwick-upon-Tweed, Newport, Leitrim, Beverley, Taunton, Finsbury, Lambeth, Bodmin, Dover, Weymouth, Galway, Bath, Cashel, Newcastle-under-Lyne, Shrewsbury, Galway (town), Glocester (city), Chatham, Norwich, Cashel, Lymington, Ipswich, South Division of Northamptonshire, Staffordshire, Portsmouth, Lyme Regis, Queen's County, Drogheda, Herefordshire, Sandwich, Bridport, Portsmouth, Huntingdon, Clare (county), Sligo (county), New Windsor, East Sussex.

Recent Decisions in Chancery.

Statute of Limitations (3 & 4 Will. 4, c. 27)—Acknowledgment by Co-obligor of Bond.

In re Seager's Estate—Seager v. *Aston*, 5 W. R. 548.

In *Roddam* v. *Morley* (*ante*, p. 438) we had occasion to offer some remarks upon a question nearly akin to that which was the main subject of contention in the present case. *In re Seager's Estate*, the facts were shortly these:—William Seager, being entitled to a legacy charged on land, and payable on the decease of a tenant for life, in 1824 assigned it to secure a debt; and for the same debt he gave a bond of even date, in which he himself was bound as principal, and Sarah Seager as surety. No payment or acknowledgment in respect of the debt had been made since 1828 by the principal, or any one claiming under him; but, in 1846, the surety made a payment on account of the interest due. One question was, whether such payment kept the debt alive as against the principal debtor. The tenant for life, upon whose death the legacy became actually payable, died in 1851. *Stuart*, V. C., considered that the effect of the 40th section of the 3 & 4 Will. 4, c. 27, was to bar the assignee by way of mortgage of the legacy, if he did not sue within twenty years after the death of the tenant for life. The contention of the principal debtor was, that the twenty years began to run from the date of the assignment. His Honour was of opinion that the rights of the mortgagee were unaffected either by the operation of the statute of limitation, or by the 14th section of the 19 & 20 Vict. c. 97, which enacts that part payment by one co-contractor or co-debtor is not to prevent the bar of the statute in favour of another co-contractor or co-debtor. He was further of opinion that the last-mentioned enactment did not apply to the case of an assignee by way of mortgage.

Practice—Order in Chambers—Payment out of Court—Injunction—Pendency of Appeal.

Joad v. *Ripley*, 5 W. R. 551; *Lister* v. *Leather*, Id. 550.

In *Joad* v. *Ripley*, *Stuart*, V. C., refused to allow an application at chambers for payment out of court of a sum of interest exceeding £300. The proper construction of the recent order relating to the practice is, that, wherever the amount asked to be paid out exceeds £300, whether it consists of principal or interest, the application must be by petition in court.

Lister v. *Leather* was a motion for an injunction, which was made pending an application to the Queen's Bench for leave to appeal to the Exchequer Chamber from a judgment of the Queen's Bench discharging a rule nisi for a new trial, the plaintiff at law and in equity having obtained a verdict in the trial directed by the Court of Chancery. It was urged by the defendant, on the motion for an injunction, that a court of equity would not grant an injunction while an action in relation to the same subject-matter was still pending at law. *Wood*, V. C., however, granted the relief prayed, observing, that, "upon motions for an injunction, if there was any dispute as to infringement, the Court never interfered; but where there had been long and uninterrupted enjoyment (as there had been in this case), it would be considered such *primâ facie* evidence of title as to justify the Court in protecting the patent right by an injunction until its validity had been established by an action at law." The appeal, moreover, under the provisions of the Common Law Procedure Act, could not be allowed on matters of evidence, but only on questions of law; as to which, in the present case, all the judges of the Court of Queen's Bench were unanimously in the plaintiff's favour. *Lister* v. *Leather* shows, therefore, that courts of equity do not feel bound to await the result of whatever proceedings at law may be instituted to contest patent rights, of the validity of which a court of equity has the means of satisfying itself. At the same time, the general rule stands good—viz. that, where there is a denial of infringement by the defendant in equity, the Court will not grant an injunction until the plaintiff has shown a title at law.

Mortgagee—Ejectment—Statutes of Forcible Entry—Costs.

Owen v. *Crouch*, 5 W. R. 545.

This was a case of some practical interest as to the rights of mortgagees. The question raised was, whether, under the circumstances, the mortgagee was entitled to add the costs of an action of ejectment to his security. The mortgagor who had been in possession died, and for some time the property which consisted of two houses was left untenanted and in a dilapidated state. A stranger who occupied adjoining premises seized the opportunity to effect an entrance into the deserted tenement, which he then let to lodgers of his own. In this state of things the mortgagee applied to a magistrate, and with the assistance of the police was restored to the possession, but shortly afterwards was ousted by a violent entry on the part of the former intruder, who set up a pretence of title under an alleged contract with the mortgagor. Under these circumstances the mortgagee commenced an action of ejectment, in which he recovered judgment and obtained possession; and the question which was now raised was, whether these costs were properly chargeable as mortgagee's costs, or whether the action ought to be regarded as an unnecessary proceeding, entailing improper expenses, which ought to be disallowed. The argument for the representative of the mortgagor was, that the possession ought to have been recovered by proceedings under the statutes of forcible entry, which boast the respectable antiquity of the 15th year of Richard II., and the 8th of Henry VI. The summary remedy provided by these enactments was, however, rather complicated; and the Court held, that, notwithstanding the privilege of calling out the *posse comitatûs* to reinstate him in possession, the mortgagee was not bound to take that course, and that, as between him and his mortgagor, he was justified in adopting the more expensive proceeding by ejectment, and was entitled to add the costs to his security. On another point the

judgment was against the mortgagee, who claimed also to be allowed the costs of defending an action of trespass brought against him by the intruder whom he had disturbed. These costs were held not to be so connected with the mortgage as to form part of the ordinary mortgagee's costs, the Vice-Chancellor observing, that it was an action brought by a violent neighbour with no more reason than if it had been against an entire stranger. Such costs could not be regarded as having been incurred in a just protection of the property, and were accordingly disallowed to the mortgagee.

Cases at Common Law specially Interesting to Attorneys.

UNDUE INFLUENCE AT PARLIAMENTARY ELECTIONS, OFFENCE OF—PROSECUTION UNDER CORRUPT PRACTICES PREVENTION ACT, 1854.

Regina v. *Barnwell*, 5 W. R., Q. B., 557.

This case arose (and it is the first which has arisen) upon that provision of the Corrupt Practices Prevention Act, 1854 (17 & 18 Vict. c. 102, s. 5), which—after enacting that the offence of "undue influence" at an election of a member of Parliament, shall be committed by any person, who, either directly or indirectly, by himself or by any other person in his behalf, shall make, or threaten to make, use of any force, violence, or restraint, or inflict, or threaten the infliction, by himself or others, of any injury, damage, harm, or loss, or in any other manner practise intimidation on or against any one, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any such election—proceeds to make it a misdemeanor to be guilty of using undue influence, and also makes the offending party liable to a penal action. In the present instance, a rule nisi had been obtained on the part of one T., calling on the defendant to show cause why a criminal information should not be filed against him, for having been guilty of the offence above defined at the late election for the borough of Denbigh.

It appeared by the affidavits on which the rule nisi had been granted, that the complainant, a baker at Denbigh, had been in the habit of supplying bread both to the defendant and also to two charities, over which the churchwardens for the time being had a control; and that the defendant, in order to induce T. to vote for one of the candidates, and to abstain from voting for the other, had threatened, in the event of his refusal, to withdraw his private custom, and, if he should be elected churchwarden for the next year, to take away also the privilege of supplying the said charities with bread. The affidavits on the other side, without denying specifically every allegation, yet substantially denied the charges, and retorted the charge of intimidation upon the other party; and on showing cause, it was contended on behalf of the defendant that every man has a right to give his custom to whom he pleases, and, therefore, a threat to take it away could not be an exercise of undue influence; and that, at all events, the case was left doubtful on the affidavits, and, therefore, the party aggrieved must be left to his remedy by indictment, or to an action for the penalty. It was upon this latter ground that the Court ultimately discharged the rule (without costs); and, in doing so, they intimated that the conduct charged, if substantiated, was sufficient to constitute the statutable offence; and that it would have been much to be desired that the affidavits filed by the defendant had more distinctly and categorically denied the charges.

ARTICLED CLERK—SERVICE ALLOWED TO DATE FROM EXECUTION OF ARTICLES, AND NOT INROLMENT.

Ex parte Williams, 5 W. R., B. C., 559.

It will be remembered that this gentleman applied for an order on the Master to inrol his articles, though unstamped, and that this was refused.* In consequence of a delay of the Court in delivering its decision, he was prevented from affixing the stamp on paying the penalty, under 19 & 20 Vict. c. 81, and then causing the articles to be inrolled within the six months from the date of the articles allowed by 7 & 8 Vict, c. 86, s. 1; and hence, the consequence followed that the service counted only from the inrolment, and not from the execution of the articles, unless the Court should order otherwise. But *Coleridge*, J., under the circumstances, and as the delay arose from the act of the Court, directed the Master to allow the service to date from the execution of the articles.

* *Vide sup.*, No. 11, p. 271.

FORM OF ORDER OF REFERENCE AT NISI PRIUS—POWER OF ARBITRATOR TO ADMINISTER AN OATH—AMENDING PARTICULARS OF DEMAND AFTER COMPULSORY REFERENCE.

Simmonds v. *Moss*, 5 W. R., B. C., 559; *Gibbs* v. *Knight*, Id., Exch., 562.

The first of the above cases shows the importance of attending carefully to the *form* of an order of reference at *Nisi Prius*, and of seeing that it contains an express power to the arbitrator to administer an oath. On the trial of the above action, it was referred to one of the jurymen to certify to the judge the amount of the balance due to the plaintiff, and the order contained no such clause, for which reason the reference had been proceeded with, without swearing any of the witnesses; and on this ground it was now sought to set the certificate aside; but the Court said that the arbitrator in the present case had acted quite rightly, for he had no power to swear the witnesses. The authority of an arbitrator to do so depends altogether on 3 & 4 W. 4, c. 42, s. 41, and the rule or order must contain terms expressly giving him the power. It is apprehended, that, on the other hand, to swear witnesses without authority would be such *mala praxis* on the part of the arbitrator, as to vitiate his award, unless the objection were waived. In the form given in Chitty's "Forms," 1856, p. 869, there is no clause giving this power; but the omission is rectified in the usual printed forms sold to the profession.

Another case, involving the practice on references ordered by the Court, may be here noticed. In *Gibbs* v. *Knight* the cause had been compulsorily referred by a judge's order, as it involved mere matters of account, and, after such order, the plaintiff applied to be allowed to amend his particulars of demand. It was urged, in opposition, that where a cause is referred by consent, the particulars cannot be afterwards ordered by the Court to be amended (*Morgan* v. *Tarte*, 11 Exch. 82); but the Court replied that there was a substantial difference in this respect between compulsory and other references, and they amended the order as desired, without calling on counsel in support of the rule.

PRACTICE—ACTION ON A JUDGMENT—COSTS, HOW APPLIED FOR.

Lomax v. *Berry*, 5 W. R., Exch., 563.

By 43 Geo. 3, c. 46, s. 4, it is enacted, that, in all actions on judgments recovered in England or Ireland, the plaintiff is not entitled to any costs of suit unless the Court in which the action on the judgment is pending, or some judge of the same Court, shall otherwise order. In the above case, an *ex parte* application for costs on behalf of the plaintiff had been made at chambers; and a question being raised, whether the order could be made without a summons, Mr. Baron *Channell* referred the matter to the Court, that the practice might be settled, as it appeared that many of the judges had been in the habit of granting *ex parte* orders. It was now contended, on the one side, that there was no need for a summons, as costs in such actions were usually only given in two cases—viz. 1st, Where it was found necessary to turn the judgment debt into a judgment of a higher amount, in order to be able to have execution against the person of the debtor; and, 2ndly, Where the defendant had pleaded to the action on the judgment *nul tiel record*; and that, in both of these cases, the ground on which costs were given appeared on the record. On the other hand, it was urged that the defendant might be able to show that there was no necessity for bringing the action on the judgment (a proceeding which, when unnecessary, the provision was designed to prevent), and that, therefore, he ought to have an opportunity of doing so; and the practice was laid down, accordingly, both in Chitty's "Archbold," by Prentice, and in Lush's "Practice," by Stephen. The Court held the practice so laid down to be correct; and *Martin*, B., took occasion to observe that the general rule of Easter Term, 1857,* as to indorsement on writs in reference to judgments by default, in actions on contract brought to recover £20 or less, might perhaps be usefully extended to actions on judgments.

It may be observed, in confirmation of the necessity for a summons, before obtaining costs in such actions, that in *Wood* v. *Silleto* (1 Chitt. 473), it was expressly laid down by the Court, that the plaintiff is not to be allowed his costs if he might have issued execution, or realised all he would be entitled to recover in the action, without suing on the judgment; and, accordingly, it has been held, that there must be an affidavit explaining *why* execution was not issued, and this even when the defendant falsely pleaded *nul tiel record* (see *Revell* v. *Wetherell*, 3 C. B. 321). Moreover, *V. Williams*, J., observed, in the case of *Slater* v. *Mackay* (8 C. B. 553), that the Courts,

* *Vide sup.*, No. 17, p. 401.

in dealing with this statutable provision, must be guided by the particular circumstances of each case, and not by any general rules.

BANKRUPTCY—ARRANGEMENT CLAUSES—REFUSAL TO ACCEPT COMPOSITION.

Tindall v. *Hibberd*, 5 W. R., C. P., 566.

Several cases have recently arisen out of the arrangement clauses of the Bankruptcy Consolidation Act, 1849.* The present action was brought by the creditor of a bankrupt, who had duly made an arrangement under the superintendence of the Court, in respect of a cause of action accruing before the bankruptcy, and the defendant pleaded the certificate mentioned in the Act. To this the plaintiff replied that the arrangement entered into was (among other things) that the defendant should pay 5*s.* in the pound, and that the plaintiff had not been so paid. And to this the defendant rejoined, that the 5*s.* in the pound had been *tendered* to the plaintiff and *refused* by him. To this rejoinder a variety of answers (by way of demurrer and surrejoinder) were placed by the plaintiff on the record; but the argument chiefly turned on the question whether it was essential to the validity and effect of the certificate given under the arrangement clauses, that every creditor should accept the composition which had been agreed to by the proper proportion of the creditors according to the Act. And it was held that this was not essential, for that otherwise an obstinate man would have it in his power to defeat the whole arrangement.

SERVICE OF RULE ON ATTORNEY—WHEN INSUFFICIENT.

Edwards v. *The Kilkenny and Great Southern and Western Railway Company*, 1 C. B., N. S., 409.

It was moved in this action to make absolute a rule for execution against a shareholder in the above company. The rule had not been served personally on the shareholder; but, on receiving notice of it, he referred it to his attorney, and the attorney, on receiving the rule, said no cause would be shown. The Court, however, said that service on the attorney would not do, for the statute required the rule to be served upon the party, or at his place of abode; and they, therefore, discharged the rule.

BASTARDY ORDER—SERVICE OF SUMMONS IN FOREIGN COUNTRY.

The Queen v. *Lightfoot*, 6 Ell. & Bl. 822.

This was an application to quash an order of affiliation and maintenance made at petty sessions in Yorkshire. The objection raised was, that the summons on the putative father to attend the magistrates had not been properly served; and it appeared that the defendant, being a British subject resident in Scotland at the time of the application against him, and with no place of abode in England, had been there personally served with the summons in time to have appeared on the day appointed for the hearing. This, however, he did not do either in person or by attorney, and the matter being gone into nevertheless, the order now appealed against was made. The judges of the Queen's Bench differed in opinion as to the sufficiency of the service in Scotland. *Crompton*, *Coleridge*, and *Erle*, JJ., thought it insufficient—the summons and service being in the nature of process, and of no force beyond England and Wales; and Scotland being in effect a foreign country for the purposes of the 7 & 8 Vict. c. 101 (under which the bastardy proceedings were had). On the other hand, Lord *Campbell* was of opinion that the summons having been *personally* served, had been *duly* served; for that otherwise great inconvenience and injustice might arise (particularly in the border counties) by the father residing in the Scotch parish for the purpose of defying the law, and throwing the burthen of maintaining the child on the mother. However, the majority of the judges holding a different opinion, the order was quashed.

RIGHT OF APPEAL UNDER 12 & 13 VICT. C. 92, S. 25.

The Queen v. *The Justices of Warwickshire*, 6 Ell. & Bl. 837.

One W. being convicted before two justices of cruel treatment of an animal, contrary to the provisions of 12 & 13 Vict. c. 92, was adjudged to pay for such offence the sum of 2*s.* 6*d.* as a penalty, and the sum of 2*l.* 7*s.* 6*d.* for costs, the latter sum to be paid to the prosecutor. Against this decision, W. gave notice of appeal, and entered into recognisances with two sureties to prosecute his appeal at the next general quarter sessions; but previously to their coming on, W. gave notice that he had abandoned the appeal, and died. The Court of Quarter Sessions, however, had made an order previously to his death for payment of the costs of the appeal; and the present was an application to the Court of Queen's Bench, on behalf of his bail, to be relieved from these costs. It was held by the Court that W. had no right to appeal, and, therefore, that the Court of Quarter Sessions had no jurisdiction to make any order for the costs thereof. The appeal given under 12 & 13 Vict. c. 92, s. 25, against a decision of magistrates, applies only where the sum adjudged to be paid on conviction exceeds £2, and the sum "adjudged to be paid" refers to the sum in which the party is *convicted*, and does not include the costs. The bail were consequently relieved, as prayed for.

* See No. 12, SOLICITORS' JOURNAL, p. 292.

Professional Intelligence.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

A meeting of the managing committee was held on the 13th; the secretary reported that a statement of the proceedings of the last meeting and of the annual general meeting had been sent to the *Law Times* and to THE SOLICITOR'S JOURNAL, in accordance with the resolutions passed at the last meeting; that the publisher of the *Law Times* had written to say that the statement, excepting the last paragraph, could appear in the *Law Times* as an advertisement, but not otherwise; that the secretary had replied that he had no instructions to advertise the statement; that the proceedings had been inserted in THE SOLICITOR'S JOURNAL, but not in the *Law Times*.

An article from the *Law Times* of the 2nd May was read, containing a further attack upon the Association, which the editor represented as having been systematically perverted to personal purposes, and adding that he would be content to abide by the verdict of a committee of investigation consisting of members of the Association, two being appointed by himself.

Communications from provincial members to the effect that the article contained statements quite erroneous, and recommending the acceptance of the proposal for the appointment of a committee of investigation, were read.

The draft of a letter from the secretary to the editor of the *Law Times* was read, agreeing to the appointment of the proposed committee, and defining its objects; and the managing committee resolved that the same, when settled by a sub-committee, should be forwarded to the editor of the *Law Times*.

A further communication with the Incorporated Law Society, relating to the new scale of equity costs, was reported, and a reply was read, stating that nothing further had been done beyond the preparation of a case for the opinion of counsel as to the right of solicitors to recover interest in certain cases.

An article on the same subject, by one of the members of the committee, was also read; and the committee resolved that the writer be requested to prepare a communication to the Lord Chancellor on the matter.

The subject of costs on criminal prosecutions was further considered; and several communications—among which were letters from Mr. Mass, of Hull; Mr. Waters, of Winchester; the Hull Law Society; the Yorkshire Law Society; the Plymouth Law Society; the Suffolk Law Society, and the Justices Clerks' Society—were read, and it appeared that so far as the expenses of prosecutors and witnesses before magistrates were concerned, the Home Office had the matter in hand. With reference, however, to obtaining a fair and proper scale of costs in prosecutions, the committee resolved that it would be expedient to communicate with the Incorporated Law Society, the different local law societies, and the provincial members of the Association, and, after having agreed on a general scale, to take steps for the purpose of obtaining the sanction of the Home Secretary to its adoption throughout the kingdom, under the provisions of the 14 & 15 Vict. c. 55.

Communications between the managing committee and the Law Amendment Society in reference to a proposed bill for the amendment of the bankruptcy law were reported.

Letters were read from provincial members relating to the Report on Registration of Titles, and inquiring what course the committee intended to take in reference to any bill introduced into Parliament to carry out the plan propounded in the Report; and the committee resolved, with a view to assist them in arriving at a decision, to issue a circular inviting opinions and suggestions on the subject.

The committee considered a question of professional etiquette submitted by a provincial solicitor.

The following new members have joined the Association since the annual meeting held on the 15th April last.

W. S. Atchison, 38, Lincoln's-inn-fields.
H. M. Cotton, 46, Chancery-lane.
J. Dempster, Brighton.
P. Hathaway, 38, Lincoln's-inn-Fields.
H. Jeanneret, 53, Lincoln's-inn-fields.
J. C. Onions, Brighton.
G. J. Mayhew, 30, Gt. George-st., Westminster.
C. Richardson, 28, Golden-sq.
R. R. Sadler, 28, Golden-sq.
W. P. Scott, 55, Lincoln's-inn-fields.
C. Tahourdin, 11, Lincoln's-inn-fields.
Tanqueray Willaume, 34, New Broad-st., City.
W. Williams, 32, Lincoln's-inn-fields.
C. R. Williams, 62, Lincoln's-inn-fields.
F. West, 3, Charlotte-row, Mansion-house.
G. T. Whitaker, 12, Lincoln's-inn-fields.

EXAMINATION PRIZES.

We are informed, that, in order to promote and encourage the efficient study of the law, the Honourable Society of Clifford's Inn have resolved to give an annual sum of Twenty Guineas to provide one or more testimonials for such of the candidates as, in passing their examination during the year, for the purpose of being admitted on the roll of attorneys and solicitors, shall, in the opinion of the examiners, merit distinction. The Council of the Incorporated Law Society have been requested and empowered to apply this sum in the purchase of books for such candidates, or in any other manner they may deem suitable. This annual gift to be distinguished as "The Prize of the Honorable Society of Clifford's Inn."

This communication, we understand, has just been made by Joseph Arden, Esq., the Principal of Clifford's Inn.

JURIDICAL SOCIETY.

The next meeting will be held on Monday, the 25th instant, at 8 o'clock p.m., the Hon. V. C. Sir John Stuart, President of the society, in the chair, when Mr. Fitzjames Stephen will read a paper on "The Interrogation of Persons accused of Crime." The society meets on the 2nd and 4th Monday of every month until the 4th Monday in July.

Correspondence.

DUBLIN.—*(From our own Correspondent.)*

THE JUDGMENTS AND EXECUTIONS BILL.

Mr. Craufurd's determined efforts to have his Judgments and Executions Bill passed into law excite a good deal of interest, and no small amount of difference of opinion. For four successive sessions Mr. Craufurd has introduced his measure; and at one stage or another, that measure has hitherto been invariably defeated, or else abandoned. Mr. Craufurd is not, however, a man who is easily baffled in his favourite pursuit; and so much energy and perseverance as he has exhibited rarely fails, in the long run, to triumph over all difficulties. It seems that the second reading of his Bill has been carried by a considerable majority. The minority was, as usual, mainly composed of Irish members, who show on every occasion the strongest possible aversion to the measure, even at the hazard of calling forth from the English press strong animadversions and hints as to the disinterestedness of their opposition. Taking the list of Irish members who voted on the division, it will be found that *one* only supported the Bill, while all the rest opposed it. This unanimity is so very remarkable, that it seems to have puzzled the English journalists to account for it; and they can suggest no clue but this—that M. P.'s and others are afraid of giving their English creditors greater facilities for obtaining repayment of their debts. Now, a better reason can soon be found, if we inquire into the Irish laws relating to judgments. A judgment creditor in Ireland possesses very ample and extensive remedies against the property of his debtor. He can register his judgment in the Registry of Deeds Office against any specific lands belonging to the latter; and a judgment duly registered has all the legal effect and operation of a mortgage; and obtains by virtue of the Act a priority over all subsequent charges and dealings whatsoever. As the judgment creditor possesses such ample powers, the courts of law are very stringent in requiring personal service of process. If, however, Mr. Craufurd's Bill pass into a law, it will enable any person obtaining a judgment behind the back of the alleged debtor, under the lax process allowed by the Scotch law, to come over here, register his judgment, and obtain all the security of a mortgage for some demand which may probably have no genuine existence.

It must be clear, therefore, that to give to a judgment obtained in Scotland all the effect of one obtained in Ireland, will be unfair and highly objectionable. Scotch law is a perfectly distinct system, and should be for all purposes treated as such. As between England and Ireland the case is very different. As the laws of these two countries are almost identical, there can be no injustice in allowing a judgment creditor in one of them to proceed on his judgment against the person or property of his debtor on the opposite side of the channel. The only ground of objection that has been urged against the measure as it affects England and Ireland is this, that the costs occasioned by the double procedure will be lost to the legal profession. The absurdity of this argument must be apparent to any one who reflects that the injury (if it can be so called) will be perfectly reciprocal. On the whole, the attorneys in London will lose quite as much as the attorneys in Dublin. A large proportion of the landed gentry of Ireland spend most of their time in England; and many of these leave creditors here, who surely will not object to obtain increased facilities for enforcing payment from their absentee debtors; and in all these cases under the proposed measure, the judgments obtained in Ireland can be rendered available in England, without the expense and delay of further proceedings in the Superior Courts at Westminster. Of course a reciprocal advantage will be enjoyed by natives of Cheltenham or Harrowgate, against such estates in Ireland as they may discover to appertain to defaulters in their books. In this respect there will be a fair interchange of benefits; and any objection to the diminished costs of law proceedings can only emanate from the admirers of that unreformed system of pleading and practice which made the names of British courts of law odious, if not infamous, all over the civilised world. If a circuitous and costly mode of procedure is to be retained merely because it is circuitous and costly, let us revive the mysteries of "oyer" and "express colour" in pleading, and restore practice to what it was when the venerable Tidd indited his ponderous volumes.

CHANCERY—ROSSBOROUGH *v.* BOYSE.

This important case came before the Court on an application to have the *venue* changed from Wexford (where the large estates, the ownership of which is in dispute, are situate) to Dublin. The circumstances under which a new trial was directed have been already alluded to (No. 19, page 442, *ante*). On behalf of the defendant who sought to have the *venue* changed, it was urged that local prejudices were so strong as to render Dublin the more likely scene for an impartial trial; and that the latter city would be more convenient for the numerous witnesses, on both sides, who will have to come over from England. On the part of the plaintiff, it was urged by *F. Fitzgerald*, Q. C., that the existence of prejudice against the defendant in the county of Wexford was not sufficient to justify the Court in granting the motion; and that it had not been shown that any considerable inconvenience to the witnesses would result from the new trial taking place there.

The LORD CHANCELLOR stated that he felt bound to refuse the motion, no case having been cited in which the Court had changed the *venue* on general allegations of prejudice; and that a change of the *venue* might be construed into an aspersion of the jurors of Wexford—a class of persons who were, on the defendant's own admission, likely to decide the question at issue in an upright and conscientious manner. The former verdict, moreover, had been set aside by the House of Lords, not on the ground of any misconduct on the part of the jurors, but because the legal effect of the evidence had not been sufficiently explained to them by the presiding judge. As the case stood, it appeared to him that if the judgment of the House of Lords were to be followed, and the evidence given at the new trial were to be the same as was formerly given, it would become the duty of the judge to direct a verdict establishing Mr. Colclough's will. The motion would be refused; but, as it was to some extent warranted by the judgment of the House of Lords, refused without costs.

In the same case, an application was subsequently made on the part of the plaintiffs Rossborough and wife, that they might be permitted to remain in possession of the estates, or that a receiver might be appointed. This motion was refused with costs. An injunction will, therefore, issue to restore Mrs. Boyse (the devisee under the will) to the possession of the estates.

INCUMBERED ESTATES COURT.

In re M. Cooke—(Before Commissioner HARGREAVE).

In this case a very serious question arose between the "Irish Land Company," of Manchester, and Mr. W. Francis Eyre, of Paris. Both parties had placed implicit confidence in the late John Sadleir, M.P., and had advanced him considerable sums of money on the supposed security of incumbrances on the estates of M. Cooke. The question was, which party was to suffer by reason of certain frauds and forgeries committed by Sadleir in the course of his dealings with them? It appears that in the

year 1852 Sadleir persuaded a General Smith, in whom were vested several family charges on the estate, to transfer them to him in consideration of a sum of £14,000, which was, however, considerably under their real value. Being then substantially the only creditor on the estates, Sadleir became the purchaser of them; but before completing his purchase he negotiated for the sale of these, with others of equal value, to the Land Company for a sum a little under £50,000, which sum the company paid over to him forthwith. By his consent, the company were then substituted as purchasers in the books of the court, taking credit as against the above-mentioned incumbrances, as to which they were to stand in his shoes, and which were duly transferred to them. The conveyance of the estate was not, however, completed; and now, on the final adjustment of the schedule, the Land Company—the *primâ facie* owners—were greatly astonished to find that the benefit of these charges was claimed by Mr. Eyre, to whom Sadleir had agreed to assign them—to whom Sadleir had handed forged deeds of transfer and collateral securities—and from whom the full value in cash had been received by that consummate deceiver. Commissioner *Hargreave*, in a very elaborate judgment, held, that the Land Company were entitled to the benefit of the charges to the extent of the £14,000 (and interest) paid by Sadleir to General Smith, but that to the residue of the charges Mr. Eyre's equity attached, of which the company were fixed with constructive notice through their solicitor, who was aware of a certain payments of interestto Mr. Eyre on the amount advanced by him to Sadleir.

Lynch, Q. C., *Sherlock*, and *Murphy*, appeared for the Land Company, with Morrogh and Kennedy, solicitors. *Deasy*, Q. C., *Clarke*, Q. C., and *Hamilton*, appeared for Mr. Eyre, with D. Mahony, and Bircham, Dalrymple, and Co., of London, solicitors.*

INCOME TAX.

To the Editor of THE SOLICITORS' JOURNAL & REPORTER.

SIR,—The question of your correspondent, "Enquirer," will be fully answered by quoting part of a letter written under the authority of the Commissioners of Inland Revenue, addressed to Mr. Thomas A. Rush, and inserted in the *Times* newspaper of the 21st April last, as follows: "The dividends of the Turkish Loan fall within the rules of charge in schedule C. of the Income Tax Act, and according to such rules, the whole of the dividends which will become due on the 10th instant will be liable to assessment for the year commencing the 6th April, 1857, at the rate made payable for that year by the 20th Victoria, chap. 6—viz. 7*d.* in the pound—in the same manner as the whole of the half-year's dividends which will be due on the 5th of July next in respect of the Three per Cent. Consols." Any arrangement less favourable to holders of Three per Cent. Consols would be manifestly unjust, because, when the additional income tax, commencing from the 5th April, was imposed, the dividends in the following July were subjected to half-a-year's deduction at the increased rate of charge.

I am, Sir, your obedient servant, P.

Review.

Trial of Charles B. Huntington for Forgery. Prepared for publication by the Defendant's Counsel, from full Stenographic Notes taken by Messrs. ROBERTS and WARBURTON. New York. 1857.

The trial of C. B. Huntington for forgery—the report of which is now before us—occupied, in an extraordinary degree, the attention of New York some four months ago. The prisoner was a sort of Transatlantic Redpath, who suddenly emerged from poverty into a condition of the most extravagant luxury; and, after a few months, was tried and convicted on one out of no less than twenty-seven indictments, charging him with forgeries to the amount of £100,000 and upwards; and it was stated on his trial, and indeed made part of his defence, that his frauds had in point of fact reached a very much larger amount. There are many points of view in which the story is well deserving of attention; and such of our readers as have the and inclination to peruse a very thick and characteristically ill-bound and unpleasantly printed 8vo volume, will be well rewarded for their trouble. It would be foreign to the purpose of this journal to notice, in any detail, the moral and social aspects of the state of things which the report discloses; but it throws a light on the character of the administration of criminal justice in America, which is particularly instructive at a time when American law and lawyers are so often held up as patterns for our own imitation. We do not think that the proceedings in Huntington's case are by any means likely to confirm that impression. Whatever charges may be justly brought against English criminal law—and no doubt they are many—there can be no question at all that the general purity of its administration is quite above suspicion. The counsel for the Crown do not press for a conviction; the jury are not subjected to undue influences; and the judges exercise an effective control over the proceedings, and over the criticisms of the press, whilst the trial is pending. All these are no doubt very elementary, but they are also altogether indispensable, requisites for the due administration of the law; and we are sorry to say, that, if Huntington's trial is a fair specimen of American procedure, the United States cannot be said as yet to have attained fully to any one of them. No less than fifteen pages of the report are occupied by challenges to jurors, every one of whom was asked whether he had read accounts of the charges against the prisoner in the papers, and had formed or expressed any opinion upon their truth, and twenty-five of them were set aside on the ground that they had. The prisoner also exhausted his right of peremptory challenge. Even when thus carefully sifted, the jury were by no means protected from undue influences. The trial lasted for more than a fortnight, and the jurors separated every evening receiving an admonition from the judge not to read reports of the previous day's proceedings, or comments on them. The counsel assumed, as a matter of course, that this advice was disregarded; and the newspapers reflected on the conduct of the judge who gave it, in articles beginning with ironical regrets that the Star Chamber could not be revived, followed up by insinuations that a jury would be quite incompetent to discharge their duty properly unless they read the papers. The difficulty of securing impartiality under such circumstances is sufficiently obvious; but it would almost seem as if the counsel for the State considered such a state of mind as a very doubtful advantage. In opening the case against the prisoner, the district attorney (or public prosecutor) for the State of New York used the following language:—"This is a criminal action between the people of the State of New York and the prisoner at the bar. The people who are now thronging at yonder door—who are in this court-room—who are in this great metropolis—*they* are my clients—*they* are the plaintiffs. I deem it my duty to invite your attention to this distinction—*that you may not forget the great plaintiff who is without in the sight of the unit defendant.*" Lord Coke tells us that when he was presented to Queen Elizabeth as "Your Majesty's Attorney *qui pro dominâ reginâ prosequitur*," she answered that she should wish the phrase to run "*qui pro dominâ veritate prosequitur*;" but it would seem that the people of New York are more exacting clients than the Queen of England.

The judge himself was reduced to playing a very undignified part in the proceedings, and would appear to have been treated with very little real respect by the counsel; for, besides taking eleven exceptions to his summing-up, they systematically excepted to his ruling throughout the whole trial; and as he had apparently no discretion about reserving the points, it is impossible to guess how long the final settlement of the question may have been delayed, if indeed it is not still pending. The most remarkable feature, however, in his conduct is, that he summed up exclusively upon questions of law, entirely omitting all reference to questions of fact; and when he announced his intention to take that course, the prisoner's counsel not only expressed his satisfaction, but said that he thought that judges ought to be forbidden by express enactment to give the jury any directions, or to lay before them any observations, on the bearings of the facts put in evidence. It is the obvious tendency of these views of the relative importance of the functions of judges and advocates to, make criminal trials mere matter of popular sentiment, than which no step can be more directly opposed to individual liberty.

It is not, however, to these illustrations of the general character of American Criminal Courts that Huntington's trial owes its principal interest even to lawyers. It is, beyond all comparison, the most remarkable instance that ever fell under our notice of the abuse of the defence of insanity. That Huntington committed the forgery for which he was indicted was proved beyond the possibility of doubt; and his own counsel declared, that, besides the forgeries for which he was indicted, he had committed others, amounting in all to the utterly incredible sum of £4,000,000; that, in addition to this, he had for some years been deeply engaged in getting up "bogus" or fictitious banks and cemetery companies, and that he had spent the produce of his frauds in the most frantic extravagance. From all

* This report is necessarily meagre and defective, as the case could only be intelligibly stated by very far exceeding our limits.

this they argued that he had a sort of monomania for forgery; that "his brain was so organised" that he could not help getting up bubble companies, and forging acceptances; and that, for this reason, he was not a responsible agent, being "morally insane."

Neither the judge nor the counsel on either side appear to us to have taken the true view of the subject of what is called moral insanity; for, whilst on the one side it was maintained that a person fully aware of the nature and consequences of his conduct, and capable of controlling his actions, might yet be irresponsible, the other side seems to have committed itself to the denial of the existence of a particular form of disease. It is remarkable that on this, as indeed on almost every other subject referred to in the trial, English cases were quoted as of the very highest authority; but, in our opinion, neither the counsel nor the judge perceived their true bearing. Both of them seem to have thought that the object of the law is to provide some definition of insanity, and to relieve all who fall within it from responsibility for their acts. In our opinion, no view of the law can be more completely false. Responsibility and sanity are by no means co-extensive. Many mad people are responsible, and many sane people are irresponsible. The legal doctrine is perfectly clear and consistent, and is simply this—that all persons are responsible for their actions who are not prevented by disease or weakness from knowing the difference between right and wrong, and who are voluntary agents. And it is only because it is strong evidence to show that one or the other of these conditions fails, that madness is any sort of excuse for crime. A madman stands on the same footing as an infant. Madness, like infancy, is evidence of irresponsibility, but it is not conclusive evidence of it. This principle is the only one which can keep the provinces of law and medicine distinct and apart; for if it be once assumed that all madmen are *ipso facto* irresponsible, the consequence will be that physicians, and not lawyers, will have to decide who is to be punished for crime, and who is not. Madness is a disease; and it is one of the great characteristics of modern medical investigations, that a vast number of connections have been discovered between diseases formerly considered quite independent of each other; and, as medical knowledge is enlarged, the old names constantly acquire new and more extensive meanings. This is peculiarly true of all diseases which affect the mind: many feelings which were formerly considered to arise entirely from peculiarities of character are now traced back to physical causes; nor do we feel at all inclined to doubt that a predisposition to commit particular crimes is frequently the result of disease; and if there is sufficient similarity, in the symptoms and treatment peculiar to such cases, to those which attend mere pronounced forms of madness, we do not know why physicians should not call them by that name. Criminal law is in no way interested in, or affected by, the circumstance. Even if the most extreme doctrines of materialism were proved to be true, and all crimes whatever were shown to be forms of disease, the discovery, however important in other respects, would be perfectly indifferent to criminal law. Its object is the prevention of crime, and it operates by fear; and fear is not destroyed by showing that it arises from physical causes.. If committing murder is a mere symptom of disease, hanging is the appropriate remedy—punishment can be described in medical language as well as crime.

Where this extreme view is not maintained, the case is plainer. A man is equally bound to resist a wish to do wrong, from whatever cause it may arise. If his brain is so organised that he has a disposition to steal, that is no better excuse for stealing than the fact that his stomach is so organised as to incline him to eat. The true question is not whether his wishes are insane, but whether they are irresistible. Huntington's counsel maintained that his tendency to forge was "in its nature irresistible, though it might be resisted." When any one can explain what this state of mind is like, we shall be able to say how far it excuses crime; but, as at present advised, we should be inclined to say, by all means let men be aided in resisting such "tendencies," by punishing those who do not resist them.

There are some other peculiarities in Huntington's case which are interesting to English lawyers. Our readers will doubtless have a general recollection of that wilderness of absurdities from which we were happily delivered by the enactment which makes it unnecessary in indictments for forgery to charge an intent to defraud any particular person. It is curious to find that the whole of this obsolete law is still in full force in America. We must also remark on the extreme lenity of American sentences for mercantile crime. In this country, Huntington would infallibly have been transported for life; nor would his sentence have been at all too severe. In New York he was sentenced only to four years and ten months' imprisonment, which term was substituted for the full amount of five years, in order that "he might not come out in the winter."

Parliamentary Proceedings.

HOUSE OF LORDS.

Monday, May 18.

PROBATES AND LETTERS OF ADMINISTRATION BILL.

The LORD CHANCELLOR, after giving a history of the unsuccessful attempts at legislation upon this subject from 1832 to his own Bill of last session, said, that, in the present Bill, he proposed that the judge of the Prerogative Court should be the first judge of the new Court of Probate, with a salary of £4,000, which was also the salary of the judge of the Court of Admiralty; and as that judge would receive a retiring allowance of £2,000 a-year, he proposed to award to the judge of the new Court of Probate a retiring allowance of the same amount. As disputed matters of fact would have to be determined by juries, there would be little work for the new judge to do; he therefore meant to propose, in another Bill, that the same judge should also be one of the judges of the Matrimonial and Divorce Court. Twenty years ago, Dr. Lushington had stated before a committee of the House of Commons that the whole Admiralty, testamentary, and matrimonial business might be perfectly well discharged by one judge, which opinion he still retained. He thought, therefore, he was justified in stating that the great probability was that one judge would be sufficient to discharge all the duties of the new court as well as of the Admiralty and Consistory Courts. When the office of judge of those Courts was abolished, he thought that the judge of the Court of Probate should be placed upon the same footing as to salary with the judges in Westminster-hall, and should receive £5,000 a-year; and when a vacancy occurred in the new court he proposed that the judge of the Court of Admiralty should also be the judge of the Court of Probate. He proposed that evidence should be taken in the new court *vivâ voce*, that the rules o evidence adopted in the common law courts should be acted upon in the Probate Court, and that all questions of disputed facts should be tried by a jury, unless the parties to the proceedings wished otherwise. He proposed that to this Court all contentious questions of probate should be referred; but that where property was sworn under £200 personalty, or £300 realty, the judges of County Courts should be empowered to try questions as to whether the testators were of sane mind, and whether the wills had been duly executed; and that the finding of such judges should be conclusive. With regard to probates of wills of persons in the country, he proposed to provide a means of enabling persons to prove wills which did not involve very large amounts in the various dioceses. With this object he proposed the establishment of thirty-six or thirty-seven districts, coinciding, as far as was practicable, with the existing diocesan districts. Of course, for this purpose, the registrars would be the officers of the Court of Probate, and not of the Ecclesiastical Courts, and they would have power to grant probate only in cases where there was no contest, and also only when it was sworn that the testators died within the limits of the districts, and that their property was below the value of £1,500. Under the existing system, if a will was proved in a particular diocess, and the testator possessed property out of that diocess, such probate was absolutely void. If there was any property in a particular diocess, and, nevertheless, the will was proved in the Prerogative Court, such will was not absolutely void, but was voidable. To obviate the present anomalous state of things, he proposed that any persons who chose might prove wills in the London court, whether the testators died in the country or not. He also proposed that every month there should be remitted to the London court from each of the provincial districts a list of all the wills proved in such districts, together with a copy of each will, which should be kept under proper direction in the Probate Court of London. He also proposed that at certain stated periods lists of all the wills proved in London, with the names of the testators, the executors, and such other particulars as experience might suggest, should be printed, with proper indexes, and transmitted to all the district registrars, and to certain places where they might be conveniently consulted. He also proposed that at the Probate Office in London there should be a department in which all persons who thought fit to do so might deposit their wills, so that at their deaths their surviving relatives might have no

difficulty in knowing where to find them. He also proposed, whenever there was any contest about the validity of a will, on the ground that the testator was insane, or that the will had not been executed with due formality, that the Court should cite not only those who were interested in contesting the validity of the will as to personal estate, but likewise those interested in the real estate, so that that which was substantially the same question as to both should be decided once for all. There was another minor provision which he was desirous of explaining. At present, whenever it was necessary to prove a devise in the common law or equity courts, the original will must be produced, which was frequently only a matter of form. He therefore proposed, that whenever a lawsuit was going on in which it was necessary to give evidence of the devise of the real estate, notice might be given by one party to the other that he meant to rely on the probate, and that that should be *primâ facie* evidence of the devise, unless, on the other hand, notice should be given that the original will must be produced. In such case it should be in the discretion of the judge to decide which party should bear the costs of the production of the original will. As several persons would necessarily be deprived of office under the present Bill, he proposed that they should be compensated, unless they should be appointed to corresponding offices under the new arrangement. In dealing with persons who had devoted themselves for many years to the discharge of their duties, to remove them without some compensation would be extremely hard—and he believed such a course would not be in conformity with the practice. He proposed that every officer should be paid a salary except the district registrars—and what would be the services to be rendered could not be told—whose remuneration should continue to be made, as it had heretofore been, without complaint, by fees to be settled by the judge of the court, assisted by the Lord Chancellor and a judge of the common law courts. As to the proctors, he proposed to retain them, providing at the same time against exorbitant charges by fixing their fees by authority and subjecting their costs to taxation, as in the courts of common law. He saw no necessity for letting in any other class of practitioners, and he proposed, in conformity with the recommendation of the commissioners, and with the two petitions which had been presented by Lord Overstone—one from upwards of a hundred of the first merchants in London, and another from an equal number of the most respectable firms of solicitors—to continue the proctors as at present. Having thus briefly stated the outline of the measure, and expressed his readiness to discuss the details in committee, his lordship concluded by moving the second reading of the Bill.

The Bishop of BANGOR declared that the present diocesan courts discharged their duties in a very satisfactory manner, and that the change proposed with regard to them would cause a great deal of confusion and trouble in the country.

The Bishop of LONDON, in supporting the bill, said that while abundant provision was made for the various offices, those holding ecclesiastical offices were overlooked; and he hoped this defect would be remedied in committee.

Lord CAMPBELL said he would cordially give his vote for the second reading of the bill. In the bill of last session he had been desperately afraid that a disputed probate would involve individuals in an interminable Chancery suit. He rejoiced, however, to find that his learned friend now avoided the very appearance of approaching the Court of Chancery. It seemed to him that the Court of Probate would now be established in a most satisfactory manner. But there was one point which, as he conceived, touched the dignity of his brother judges in the common law courts. It was proposed that this new judge of the Court of Probate should take precedence immediately after the Vice-Chancellors, and, therefore, before all the puisne judges. Now, he thought, this ought not to be. The new judge was ultimately to receive £5,000, the same salary as the puisne judges, and he did not consider it would be any disparagement to him if he took precedence among the puisne judges according to seniority.

The Bill was then read a second time.

Tuesday, May 19.

DIVORCE AND MATRIMONIAL CAUSES BILL.

The LORD CHANCELLOR moved the second reading of this Bill. Having traced the history of the marriage laws for a long series of years, he referred to the Royal Commission appointed in 1850 (on which he had mainly based his measure) to take the subject into consideration. He proposed to create a competent tribunal to do that which could at present only be effected through the agency of three, and that at great cost to the parties. That tribunal would investigate the case once for all. Evidence would be taken *vivâ voce* before a jury, except in special cases; and the court would consist of the Lord Chancellor, one of the Chief Justices, and the judge of the Court of Probate. He proposed that the wife, equally with the husband, should be entitled to a divorce *à vinculo matrimonii* in cases where there had been incestuous adultery, or where bigamy had taken place. A clause had been introduced into the former Bill prohibiting the intermarriage of the adulterer and adultress. This clause he thought to be fraught with evil, and therefore he had not reintroduced it. An action brought by a husband for damages for criminal conversation should be grounded on a divorce first obtained. Where there had been a divorce *à mensâ et thero*, for cruelty or unwarrantable desertion, alimony should be paid to the wife as now; but it would be placed, if the Court thought fit, in the hands of a trustee. In the case of such a divorce the wife should stand on the same footing as an unmarried woman; her property should be her own, and her husband should have no right to touch it.

The Archbishop of CANTERBURY said that he should vote for the second reading, but would oppose the clause which permitted the guilty parties in cases of adultery to be united in marriage.

Lord LYNDHURST thought that the provisions of the Bill were of the most simple kind; and he could conceive no tribunal better calculated to carry out its object than that which had been proposed. He strongly remarked upon the great inequality which the bill left between the two sexes—no extent of adultery on the part of the husband entitling the wife to a divorce; and he contended that where a man deserted his wife wilfully that should entitle her to a divorce *à vinculo matrimonii*. He also objected to that part of the bill which made a divorce necessary before an action could be brought for criminal conversation, inasmuch as a Roman Catholic, not being able to obtain a divorce, could not bring such an action; and he trusted that this and the other defect would be remedied in committee.

Lord WENSLEYDALE said that he would not oppose the Bill, but thought it required many amendments.

The Earl of MALMESBURY said that he should propose in committee the reintroduction of the clause to prevent the intermarriage of the adulterer and adultress.

The Duke of NORFOLK declared that it was the universal feeling of the Roman Catholic Church that marriage were indissoluble. He would oppose the Bill at every stage.

Lord CAMPBELL supported the Bill. He asked whether it was intended to apply to Ireland.

Viscount DUNGANNON moved that the Bill should be read a second time that day six months.

Lord REDESDALE supported the amendment.

The LORD CHANCELLOR in reply said, that, as a matter of course, a similar Bill would be introduced for Ireland.

The house divided when there were—

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Friday, May 22.

PROBATE AND LETTERS OF ADMINISTRATION BILL.

Clause 1 was agreed to.

On Clause 2 being read,

Lord ST. LEONARDS moved an amendment to strike out the words "testament and" and "others," in order to prevent any alteration in the law as to real estate.

Lord ST. LEONARDS has given notice that he will draw the attention of the House to the state of the law in equity charging trustees for breaches of trust; and to propose an amendment of the law for the relief of trustees acting *bonâ fide* and without any benefit to themselves. (No day named.)

HOUSE OF COMMONS.

Monday, May 18.

DIFFERENT CLASSES OF DEBTS.

In answer to Mr. G. CLIVE,

The ATTORNEY-GENERAL said he had often thought that the difference between specialty and simple contract debts in the administration of the estates of deceased persons should be abolished. That distinction existed in courts of law but not of equity. It was his intention, immediately after the Whitsuntide recess, to introduce a bill to remedy that and some other evils.

FRAUDULENT BREACHES OF TRUST BILL.

The ATTORNEY-GENERAL moved for leave to introduce a Bill to make fraudulent breaches of trust criminally punishable. He said that he had undertaken a task of no ordinary responsi-

bility, because, while the necessity of such a measure had long been felt, all had admitted the difficulty and had shrunk from the duty of framing it; and because he proposed to pass an Act which should affect in a manner entirely novel to our laws one of the most ordinary relations of life. This measure was brought in to meet an acknowledged defect in which our law stood in contrast with the jurisprudence of every other civilised country. He knew no code in Europe in which fraudulent breaches of trust were not held to be proper subjects of criminal interference. But in our law there was this peculiarity, that fraud or theft when accompanied by breach of trust, was divested of its criminal character. If a man stole £500 he would be punished by the criminal law; but if a man upon his death-bed called in a friend, and told him that he had appointed him executor to his will, and committed to him all his property for the benefit of his widow and children, and the friend accepted the trust, proved the will, and then robbed the widow and the orphans of their property, the law said that he was not a criminal, but a debtor. But the anomaly did not rest there. Our ordinary tribunals refused to recognise the act as creating a debt; and, adding mockery to the injury they had sustained, told them that they must go to the Court of Chancery. That was the evil with which he proposed to deal. Our law had never been happy in general definitions. It confined itself, as did our Acts of Parliament, to dealing with a vast number of instances; but we never attempted to meet an evil by a comprehensive definition, which should accurately define the offence, and leave particular instances to fall within its scope. Our common law refused, save in only one or two instances, to recognise the ordinary distinction between trustee and *cestui que trust*, and accordingly if property were committed to a trustee, our law, founding itself upon our definition of theft, said, "How can a man take away, how can he carry away, from himself? He is already in lawful and complete possession, therefore he is unable to commit a theft." Observe the difference between the jurisprudence of England and that of Scotland. In Scotland, theft might be defined thus—*Fraudulenta convertatio rei alienæ invito domino.* Our law, however, said that trust property was not *res aliena*, but *res sua*, and, therefore, a fraudulent trustee did not take the property of another, but only that which was legally his own. He had, in the bill which he was asking leave to introduce, framed several clauses to meet the different forms of breaches of trust. He would, in the first place, deal with the fraudulent conversion by a trustee of the property committed to his charge. Now, it was essential that there should be trustees, and also that the honest, well-meaning trustee should be protected in the discharge of his duty, and the dishonest one discountenanced and punished. Great difficulties existed with regard to the performance of his duty by a trustee; and in introducing a measure to make breaches of trust criminally punishable, it was necessary to take great care that a trustee should not be liable to be dragged into a criminal court and made the subject of a public examination without sufficient cause, but merely to gratify a feeling of passion or revenge on the part of the *cestui que trust*; and he had thought it necessary to introduce into the Bill a particular clause to guard against the possibility of that evil, which enacted that no proceeding or prosecution should be commenced against a trustee without the previous sanction of some one of the judges of one of the courts at Westminster or in Ireland, or of the Attorney-General. That provision was analogous to the provision in the Act for the abolition of arrest for debt, which enacted that a person might be arrested for debt upon an order made by a judge in chambers upon affidavits that the debtor was about to leave the country. The next question to which he would beg the attention of the House was as to the nature of the trust a breach of which should be rendered criminally punishable. Breaches of trust were of various kinds, and of which he adduced a variety of instances. In addition to direct trusts there were also what were called in legal phraseology resulting trusts,—that was to say, trusts remaining upon property after the direct trusts had been satisfied. Now, if a trustee, after satisfying the direct trust, found that he had a surplus and applied it to his own benefit, it would be a violation of the resulting trust, and ought to be punished, for he must be well aware that the property was not his. There were, however, constructive trusts, which were trusts created by the law itself, and, being so, they might arise without the knowledge of the trustee; and therefore he did not propose to make breaches of that description of trusts criminally punishable. Those were the general provisions of the Bill which related to one part of the subject,—namely, property held by one person for the benefit of another; but he had thought it right not to stop there. There were other breaches of trust of a more dangerous character, because of more extended influence, committed by persons who did not stand in exactly the relation of a trustee, and which required the introduction of some particular law, in order to meet delinquents who at present might remain untouched. He alluded to those persons who, in the prosecution of those great undertakings which were almost peculiar to this country, had formed companies and had placed themselves in the position of directors or managers of those companies. In those cases, in which such persons fraudulently and openly appropriated sums of money, there could of course be no doubt as to their liability to prosecution; but these appropriations were for the most part much too cleverly executed to render it necessary that they should have recourse to a proceeding so clumsy as a direct and manifest fraud. Their appropriations of money were, as the House was well aware, effected through the medium of false accounts and fraudulent representations. He had therefore introduced into the Bill a series of clauses under whose operation the act of keeping false accounts, of making false entries, or disguising the nature of those transactions by means of untrue representations, should be made criminal. He had also framed two other clauses, which would embrace in their operation that extensive system of fraud which was produced through the medium of false representations, coupled with acts to give a colour to those representations, such as fraudulent statements of the affairs of a company, or the payment of dividends out of a fictitious capital. Whether the law as it stood was or was not sufficient to meet such cases, there could be no harm whatsoever in making the particular mode of robbery to which he referred subject to direct criminal prosecution. While speaking upon that point, he might perhaps be allowed to advert to an answer which he had given to a question of a hon. gentleman, whether he would not institute criminal proceedings against certain persons who were concerned in transactions by which the public mind had, of late, been much occupied. Although he was not then prepared to state to the House that he would certainly institute such prosecution, he had since made himself acquainted with the nature of the case, and having read the documents which had been laid before him by the solicitor to the assignees, he had now no hesitation in saying that he would try, without a moment's delay, whether the law, as it now stood, was not strong enough to meet that case. He had further to state that the Bill proposed to deal not merely with the trustees, directors, and managers of companies, but also with assignees of bankrupts and insolvents, to whose case the same principle would be extended as to the former class. With reference to bankers and agents, the law now stood in the position which he was about to state. The Act of 42 Geo. 3 (the introduction of which measure had been occasioned by frauds committed by a stockbroker named Walsh), so far as agents, brokers, and bankers were concerned, was limited altogether to meet the case in which the instructions to the agent happened to have been given in writing; and it excluded trustees, mortgagees, and other persons occupying positions of that description from its operation. It had been succeeded by the 7 & 8 Geo. 4, which, while it introduced certain amendments into the wording of the Act, had made but little substantial alteration—so far as related to the particular subject of his remarks—in its provisions. But the Bill which he had framed proposed to extend the law to all cases of property committed to the charge of agents, although they might not have received any instructions in writing. The next subject to which he would allude was one to which he would invite the particular attention of the House. He might first of all state, that he unquestionably recognised that principle of the English law which provided that no man should be put upon his trial and found guilty upon evidence procured from his own confession made in a civil proceeding. That was a principle which should, in his opinion, be preserved, and he had, therefore, continued the exemption from liability to criminal prosecution, on the ground of evidence given before a civil tribunal in a civil case; but he did not propose to include within the scope of that exemption the extraordinary provision contained in the 7 & 8 Geo. 4, to the effect that a person who had become fraudulently possessed of property should not have a voluntary confession made in any proceedings instituted against him in a court of bankruptcy or insolvency made available in his case for the purpose of a criminal prosecution. There were in the bill other clauses providing that criminal liability should not be permitted to interfere with the civil rights of the party. There was also another clause which provided that in the case in which a civil suit had been instituted against a trustee to recover

property which he had fraudulently appropriated, no criminal proceeding should be taken during the progress of that suit without the leave of the judges before whom it happened to be pending. Those were the principal features of the Bill. And he, in conclusion, expressed a hope that the present session might be signalised by such an instalment of legal reform as would remove a great opprobrium to our jurisprudence, and would lead to an improved state of things, while it tended to place our legislation on a more respectable footing than that upon which it now stood.

Mr. Malins said, that he had long been of opinion that breaches of trust under aggravated circumstances should be rendered liable to criminal prosecution; and he might add, that the present Lord Chief Justice of the Court of Common Pleas had, when Attorney-General, introduced a Bill by which it was intended to carry out objects similar to those which his hon. and learned friend had in view. It would require the greatest care and all the assistance which hon. and learned gentlemen on both sides of the House could give the Attorney-General to make the measure as effective as possible in punishing fraudulent trustees and protecting the honest against being treated as criminals when they had acted from the best and purest motives.

Mr. Hadfield hoped the Attorney-General would be cautious in adopting extreme measures with regard to trustees. It was already one of the most difficult things to get suitable trustees to act. The office of trustee frequently involved greater cares and anxieties than those involved in a man's own personal affairs, and, considering the enormous sums which they were frequently called upon to pay out of their own pockets, he doubted whether, as a body, trustees did not lose more money than was misappropriated and perverted to their own use by the dishonest class of trustees.

The Attorney-General, in reply to Mr. Napier, said that the Bill would apply both to Ireland and Scotland.

Leave was then given to bring in the Bill.

Insolvent Joint-stock Companies Bill.

The Attorney-General asked leave to bring in a bill to amend the Acts of Parliament under which public companies were liable to be made bankrupt; and also to amend the Winding-up Acts. The spirit of the enactment he proposed was precisely similar to one introduced last session, with the exception that it would apply to banks and insurance companies. There at present existed a great conflict with respect to the manner of obtaining a remedy in case of insolvency, which might be done under a fiat of bankruptcy or by winding up under the Winding-up Acts. If a joint-stock bank became insolvent, there were, of course, two things to be effected: There was the payment of its creditors; and there was also the task of deciding the proportion each shareholder should contribute to make up the deficiency. All this might have been committed to one tribunal; but if a public bank became bankrupt the winding up of the estate might belong to the Court of Bankruptcy, and the deciding on the proportion to be contributed by the individual shareholders might devolve upon the Court of Chancery, under the Acts of 1848 and 1849. A conflict had in this manner arisen between the two jurisdictions of Bankruptcy and Chancery, of which there had lately been a most painful and distressing illustration in the case of the Royal British Bank. In that case all the separate Courts of Chancery had been occupied in determining the conflicting claims of the official manager under the Winding-up Acts, and of the official assignee under the subsequent fiat. In the case of the British Bank, the creditors were 6,000 in number, and the shareholders 300; and such was the state of the law, that every creditor had a separate right of action against every shareholder; and there might thus be 6,000 times 300 suits, and the accumulated costs of the innumerable actions must be added to the original loss. He would therefore propose a remedy of the following description: Let an advertisement be inserted in the public prints calling the shareholders together, and enabling them to appoint one or more of their number for the purpose of making some arrangement with the persons to whom they were liable, and for the purpose of obtaining the amount of contributions from the shareholders that might be requisite for the payment of the debts. Immediately after that advertisement appeared, he proposed to protect the shareholders from their present liability to actions, provided that they submitted themselves to such terms as the Court might think right. At present, the shareholders were placed in a position of great difficulty, for, while the property of the company was taken away from them by bankruptcy, they were liable for the company's debts. He, therefore, proposed that the commissioner should have power to give protection to the shareholders. One provision of the bill was, that a certain proportion of the creditors should have power to bind the whole in accepting any composition, and that when such an agreement was come to, the shareholders might apply for and obtain protection from individual suits. These provisions would be applicable to all existing as well as future companies. They supplied an important omission in the bill of last year.

Mr. Malins referred to a similar bill which he had brought in last year, and which, if passed, would have saved the public from great calamity. He suggested one improvement in the measure submitted by the Attorney-General, that, when a company was brought under the jurisdiction of the court, the right of the creditors to bring actions against individual shareholders should immediately cease, as in the case of an ordinary bankruptcy. To prevent shareholders absconding to avoid their liability, he would provide for stopping them by a judge's order, as might now be done with an ordinary debtor. Had not the right of suing shareholders existed in the case of the Royal British Bank, the whole affair might have been wound-up, the calls made, and the debts discharged, long ago. The bill which he introduced last session would have provided for this.

The Attorney-General said he thought the bill would carry out the view expressed by Mr. Malins.

Sir H. Willoughby wished to know how the fees were to be dealt with.

The Attorney-General said, he hoped that a measure would shortly be brought in on the subject of bankruptcy and insolvency, by which the question of fees would be dealt with. He did not venture to deal with that matter in the present bill.

The resolution was agreed to.

Friday, May 22.

Fraudulent Breaches of Trust Bill.

This bill was brought in by the Attorney-General and read a first time, and ordered for second reading on June 8.

Insolvent Joint-Stock Companies.

This Bill was brought in by the Attorney-General, and read a first time, and ordered for second reading on Thursday next.

PRIVATE BILLS.

The House of Commons seems to have come to a resolution to lose no time in getting through the business. Ten committees on opposed Private Bills met during the past week, and five more are fixed for next week. There are some questions which are brought out regularly session after session, like an old play with new properties—and amongst other old favourites, "Broad and Narrow Guage," the unfathomable "Liverpool Dock story," "The Drainage Districts Bills," and "The Mineral District Railways," such as Taff Vale, Rhymney Valley, &c., are not forgotten.

The broad and narrow guage fight is between the old competitors the South Western and Great Western Railway Companies, although the latter company do not appear under their own colours, but under the title of the "Southampton, Bristol, and South Wales Railway Company." The two companies, Great Western and South Western, have stations side by side at Basingstoke and at Salisbury, and it is understood, from the statement of counsel in opening the case, that amicable arrangements had been entered into for the interchange of traffic at Salisbury and that the contracts were *all but* completed for avoiding the inconvenience of a break of guage there. The Southampton Bristol and South Wales Railway Company however sprung up at the moment previous to signing the treaty, and Mr. Brunel, the Great Western engineer, being concerned for the new company also, left all arrangements to take their chance at the last moment, and war has broken out again. This at least was stated by the South Western counsel. The object of the Southampton Bristol and South Wales Bill is to continue the broad guage line from Salisbury to Southampton, although there is a narrow guage line at present accommodating that district; and a short line of four miles is projected by the South Western Company for shortening the distance between those points.

The South Western Company are being heard first on their own case, and in *opposition* to Mr. Brunel's line, and it is expected that many interesting points may arise owing to the question of railway competition forming one very prominent feature, and the duties of railway companies in carrying out exchange of traffic forming another.

It must have been a familiar sight to the *habitués* of the com-

mittee lobby for the last twelve years to see one of the largest rooms crammed year after year with commercial men, whose chief occupation appeared to be gazing on the monster cartoons which surround the walls; and this amusement generally continued for a space extending over two months. The old story and the accustomed sight have commenced *de novo* and the "Liverpool Dock Committee Room," exhibits the same faces, and will probably bring to light an oft-told tale, inasmuch as the evidence taken before committees for *eleven years!* past has been referred to them. It must not be supposed that the Liverpool people have wasted time or money, as it is believed that they have contrived to settle commercial arrangements by private legislation, step by step, which will be beneficial to the whole civilised world as regards the Port of Liverpool.

The Nene Drainage will probably come on next week, and is more immediately interesting to parties situate in districts which are dependent on private enterprise for drainage. The bill is greatly opposed, as it is not uncommon for landowners to be very jealous on the taxation question. There are twenty-three petitioners against the bill.

A group of Bills, which will involve the toll question to a great extent, is the mineral group before mentioned. There is an Ely Tidal Harbour Bill, which involves a desperate competition between the Bute and Clive interests at Cardiff—the former family being much interested in the Bute Docks, and the latter in the new harbour. Incidental to this question, the tolls in the Rhymney Valley and Taff Vale will come under discussion. Group 1, which consists of a metropolitan group, is not yet appointed. The group consists of Bills for making short lines in and about London, including one in South London, and a short cut from Richmond to Kew.

The Kent Railway Companies, "like the troubled sea," are never at rest, and the East Kent Company, who own the new direct authorised line from Rochester to Dover, are endeavouring to assert their entire independence by carrying a line from Rochester to London, without using the South Eastern Company. The South Eastern Company have a competing line, and there must be another contest.

These Bills are not yet appointed.

Court Papers.

Chancery.

SITTINGS.—TRINITY TERM, 1857.

☞ *The following abbreviations have been adopted to save space:—*
A. Abated—*Adv.* Adjourned—*A. T.* After Term—*App.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*Csts.* Costs—*D.* Demurrer—*Ex.* Exceptions—*F. D* Further Directions—*Mtn.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand over—*Sh* Short.

LORD CHANCELLOR.

At Lincoln's Inn.

Friday, May 22...App. Mtns. & Apps.
Saturday 23...Ptns. & Appeals.
Monday 25, Tuesday 26, Wednesday 27 } Appeals.
Thursday 28...App. Mtns. & Apps.
Friday 29, Saturday 30, Monday, June 1, Tuesday 2, Wednesday 3 } Appeals.
Thursday 4...App. Mtns. & Apps.
Friday, 5, Saturday 6, Monday 8, Tuesday 9 } Appeals.
Wednesday 10...Ptns & Appeals.
Thursday 11...Appeals.
Friday 12...App. Mtns. & Apps.

NOTICE.—Such days as his Lordship is hearing Appeals in the House of Lords excepted.

MASTER OF THE ROLLS.

At Chancery Lane.

Friday, May 22...Motions.
Saturday 23...General Ptn. Day.
Monday 25, Tuesday 26, Wednesday 27 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Thursday 28...Motions.
Friday 29, Saturday 30, Monday, June 1, Tuesday 2, Wednesday 3 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Thursday 4...Motions.
Friday, 5, Saturday 6, Monday 8, Tuesday 9, Wednesday 10, Thursday 11 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Friday 12...Motions.

Short Causes, Short Claims, Consent Causes, Unopposed Petitions, and Claims, every *Saturday*. The unopposed Petitions *to be taken first.*

NOTICE.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the *Thursday* preceding the *Saturday* on which it is intended they should be heard.

THE LORDS JUSTICES.

At Lincoln's Inn.

Friday, May 22...App. Mtns. & Apps.
Saturday 23, Ptns. in Lun., and Bktcy. App. Ptns. & Apps.
Monday 25, Tuesday 26, Wednesday 27 } Appeals.
Thursday 28...App. Mtns. & Apps.
Friday 29, Ptns. in Lun. and Bktcy. App. Ptns. & Apps.
Saturday 30, Monday, June 1, Tuesday 2, Wednesday 3 } Appeals.
Thursday 4...App. Mtns. & Apps.
Friday 5, Ptns. in Lun. and Bktcy. App. Ptns. & Apps.
Saturday 6, Monday 8, Tuesday 9, Wednesday 10, Thursday 11 } Appeals.
Friday 12...App. Mtns. & Apps.

V. C. SIR R. T. KINDERSLEY.

At Lincoln's Inn.

Friday, May 22...Mtns. & Gen. Pap.
Saturday 23, Ptns. (unop. first), then Short Causes, Short Cl., & then Remaining Ptns.
Monday 25, Tuesday 26, Wednesday 27 } Pleas, Demrs., Ex., Causes, Claims, F. D., & Fur. Cons.
Thursday 28...Mtns. & Gen. Paper
Friday 29...Ptns. (unop. first)
Saturday 30, Sht. Causes, Sht. Cls. & Gen. Paper
Monday, June 1, Tuesday 2, Wednesday 3 } Pleas, Demrs., Ex., Causes, Claims, F. D., & Fur. Cons.
Thursday 4...Mtns. & Gen. Paper
Friday 5...Ptns. (unop. first.)
Saturday 6, Sht. Causes, Sht. Cls. & Gen. Paper
Monday 8, Tuesday 9, Wednesday 10, Thursday 11 } Pleas, Demrs., Ex., Causes, Claims, F. D., & Fur. Cons.
Friday 12...Mtns. & Gen. Paper

V. C. SIR JOHN STUART.

At Lincoln's Inn.

Friday, May 22...Motions.
Saturday 23, Sht. Causes, and Cls. and Petitions
Monday 25, Tuesday 26, Wednesday 27 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Thursday 28...Mtns. & Gen. Pap.
Friday 29...Ptns. & Gen. Paper
Saturday 30, Sht. Causes, Cls. & General Paper
Monday, June 1, Tuesday 2, Wednesday 3, Thursday 4, Friday 5 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Saturday 6, Sht. Causes, Cls. & General Paper
Monday 8, Tuesday 9, Wednesday 10, Thursday 11 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Friday 12...Motions

V. C. SIR W. PAGE WOOD.

At Lincoln's Inn.

Friday, May 22...Mtns. & Gen. Pap.
Saturday 23, Ptns., Sht. Causes, Cl., & Gen. Paper
Monday 25, Tuesday 26, Wednesday 27 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Thursday 28...Mtns. & Gen. Paper
Friday 29, Pleas, Demrs., Ex., Causes, Claims, & F. D.
Saturday 30, Ptns., Sht. Causes, Cl., & Gen. Paper
Monday, June 1, Tuesday 2, Wednesday 3 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Thursday 4...Mtns. & Gen. Paper
Friday 5, Pleas, Demrs., Ex., Causes, Claims, & F. D.
Saturday 6, Ptns., Sht. Causes, Cl., & Gen. Paper
Monday 8, Tuesday 9, Wednesday 10, Thursday 11 } Pleas, Demrs., Ex., Causes, Claims, & F. D.
Friday 12...Mtns. & Gen. Paper

NOTICE.—Claims will be taken in precedence of the General Paper every Petition Day.

CAUSE LISTS.—TRINITY TERM, 1857.

MASTER OF THE ROLLS.

Causes, &c.

Fowler *v.* Wyatt (Cause part heard)
Isaacs *v.* Homfray (Exons. to ans.)
James *v.* Gibbon (4) (F. D. & Costs)
Packman *v.* Vivian (Cause)
Noble *v.* Brett (otherwise Hodges) (Motion for decree)
O'Hara *v.* Vile (Motion for decree)
Jeffery *v.* Cobley (Cause)
Swift *v.* Swift (ditto)
Moreland *v.* Richardson (Mtn. for dec)
Douglas *v.* Archbutt (Cause)
Attorney-Gen. *v.* Prettyman, Attorney-Gen. *v.* Dean, &c., of Lincoln } (Exons. to report)
Attorney-Gen. *v.* Prettyman, Attorney-Gen. *v.* Dean, &c., of Lincoln } (Fur. dirs. & Costs)
Attorney-Gen. *v.* Prettyman, Attorney-Gen. *v.* Bishop of Lincoln } (do.)
Granger *v.* Powers (Mtn. for dec.)
Nicholson *v.* Gunn (do.)
Hall *v.* Giles (do.)
Stidolph *v.* Dickinson (do.)
Vincent *v.* Spicer (F. C. & summons adj. from chambers)
Dixon *v.* Dixon (Mtn. for dec.)
Cattlow *v.* Daniel (do.)
Randall *v.* Daniell (do.)
Freeman *v.* Stokes (Fur. conson.) (short)
In re Sarah Yeomans, Yeomans *v.* Haynes } Fur. con., adj. from chambs.
Longstaff *v.* Barker (Cause)
Gascoyne *v.* Ellis (Mtn. for dec.)
Cowlishaw *v.* Hardy (Fur. conson.)
Bridges *v.* Longman (Fur. conson. and 2 sumns. adj. from chambers)
In re Moore, Moore *v.* Moore } (Fur. conson. adj. from chambers)
Cotesworth *v.* M'Gachen (M. for dec.)
Marriott *v.* Reynolds (do.)
Sherwood *v.* Grice (Fur. conson.)
Baldwin *v.* Cronin (Mtn. for dec.)
Anderson *v.* Anderson (do.)
Anderson *v.* Anderson (do.)
Tugwell *v.* Scott (Cause)
Hawksworth *v.* Hawksworth (do.)
Priestman *v.* Tindall (Fur. conson. & summons adj. from chambers)
In re Graham, deceased, Graham *v.* Graham } (F. C. adj. from chambers & Ptn.)
Close *v.* Gordon (Fur. conson.)
Moor *v.* Abbott (Mtn. for dec.)
Collett *v.* Collett (do.)
Collett *v.* Dixon (do.)
Dempster *v.* Graham (do.)
Lacy *v.* Read (do.)
Ridley *v.* Tiplady (Fur. conson.)
Owens *v.* Kirby (Mtn. for dec.)
Page *v.* Page (Cause)
In re Hale, Webster *v.* O'Connor } (Fur. consn.)
Norris *v.* Bramble (do.)
Chorley *v.* Bellett (Mtn. for dec.)
Addams *v.* Bellett (Fur. conson.)
Noble *v.* Brett (Fur. conson.)
Bromer *v.* Lambe (do.)
Higgins *v.* Pettman (do.)
Barton *v.* Terrell (Exons. to Master's report)
Barnewall *v.* Lord Clifford (F. cons.)
Cubitt *v.* Sturgis (Cause)
Violett *v.* Brookman (Fur. conson.)
Sparling *v.* Bennett (Fur. conson. & summons to vary certificate)
Stephens *v.* Breton (Cause)
Attorney-Gen. *v.* Bushby (do.)
Brooks *v.* Dingley (Mtn. for dec.)
Jones *v.* Jones (Cause)
Perry Herrick *v.* Attwood (do.)
Holmes *v.* Baldwin (do.)
Stevenson *v.* Beaumont (Mtn. for dec.)
Fletcher *v.* Barnard (Fur. conson.)
Nesbit *v.* Huxham (Mtn. for dec.)
Pearce *v.* Spencer (Cause)
De Sorbein *v.* Bland (Fur. conson.)
Hoblyn *v.* Grose (Mtn. for dec.)
Hartley *v.* Ostler (Fur. conson.)
Robins *v.* Robins (Mtn. for dec.)
Wich *v.* Parker (Cause)
Bone *v.* Pollard (Fur. conson.)
Holiwell *v.* Holgate (do.)
Spencer *v.* Pearson (Mtn. for dec.)
Pearson *v.* Tulk (Cause)
Pearson *v.* Spencer (do.)
Pearson *v.* Pearson (do.)
Edwards *v.* Rowe, Bennion *v.* Edwards } (Fur. cons.)
Holland *v.* Allsop (Mtn. for dec.)
Fry *v.* Fry (do.)

Wynne *v.* Fletcher (Special case)
Preston *v.* Bowerman (Cause)
Flower *v.* Gedye (F. consn. of costs.
Bather *v.* Kearsley (F. D. & costs.)
In re Pollard (Summs. adj.
Polkey *v.* Langham (from chamb.)
In re Mackinlay (Summs. & Fur.
Ward *v.* Mackinlay consn. adj. from chambs.)
Wallis *v.* Tonge (Fur. consn.)
Pearl *v.* Deacon (Mtn. for dec.)
Bridgman *v.* Gill (Cause)
Kerr *v.* Pawson (Mtn. for dec.)
Cowdell *v.* Varnon (do.)
Armstrong *v.* Armstrong (Fur. con.)
Osborn *v.* Reid (do.)
In re Stevens (Fur. consn.)
Taylor *v.* Stevens

Tinsley *v.* Gresley (Mtn. for dec)
Bruce *v.* Tokar (do.)
Sharpe *v.* Cooper (do.)
In re Miller (Fur. consn. adj.
Miller *v* Miller (from chambs) (sh)
Smith *v.* Ryder (Mtn. for dec.)
Dawson *v.* Prince (Cause)
Gillbanks *v.* Jackson (Mtn. for dec.)
Wells *v.* Corporatn. of Gravesend (do.)
Clarke *v.* Bailey (Fur. con. & Ptn.)
Croft *v.* Goldsmid (Cause)
Rackham *v.* Gilbert (Fur. consn.)
Barker *v.* Partridge (Mtn. for dec.)
Hoblyn *v.* Langley (Fur. consn.)
Ruxton *v.* Poingdestre (Fur. con.)
Tufnell *v.* Tufnell (Mtn. for dec.)
Caswall *v.* Saunders (do.)

LORDS JUSTICES.

Appeals.

Nunn *v.* Edge (Part heard)
Campbell *v.* Ingilby
Perkins *v.* Green
In re Green
Green *v.* Green
Davey *v.* Durrant

Davey *v.* Durrant
Smith *v.* Durrant (Appeal mtn.)
Smith *v.* Durrant (Mtn. for dec.)
Bellamy *v.* Sabine (5)
Castle *v.* Castle
Castle *v.* Castle
Denton *v.* Donner

V. C. SIR R. T. KINDERSLEY.

Causes, &c.

Potter *v.* Wallace (Cause)
Lamb *v.* Lamb (Mtn. for dec.)
Barnes *v.* Taylor (Cause)
Gregory *v.* Pilkington (5) F. D. & csts.
Peacock *v.* Shrubb (Fur. consn.)
Sibley *v.* Minton (Mtn. for dec.)
Wentworth *v.* Chevell (F. D. & csts.)
Atkinson *v.* Kelly (Mtn. for dec.)
Clayton *v.* Newport (Fur. consn.)
Appleyard *v.* Walker (Cause) (sh.)
Garner *v.* Briggs (Cause)
Barkworth *v.* Young (Mtn. for dec.)
Balkin *v.* Brown (do.)
Gibbs *v.* Manning (Fur. consn.)
Attorney-Gen. *v.* Sheppard (do.)
Wilkinson *v.* East (Claim)
Fowler *v.* Fowler (Fur. consn.)

Wilcox *v.* Harrop (Fur. consn.)
Parton *v.* Parton (Cause)
Sclater *v* Cottam (Fur. consn.)
Evans *v.* Jones (do.)
Manby *v.* Colegrave (Cause & Ptn.) (short)
Randfield *v.* Randfield (Cause)
Kirkpatrick *v.* Fletcher (do) (short)
Thomas *v.* Jones (Fur. consn.)
Silvester *v.* Thomas (Fur. consn.)
Freeman *v.* Whitbread (do.)
Gimson *v.* Downing (Cause)
Kennedy *v.* Glover
Kennedy *v.* Glover (Fur. consn.)
Kennedy *v.* Glover
Addison *v.* Mayne (Mtn. for dec.)

V. C. SIR JOHN STUART.

Causes, &c.

Simpson *v.* Chapman (Fur. consn. and mtn.)
Dean *v.* Hall (6) (Fur. dirs. & costs)
Booth *v.* Coulton (Fur. consn.)
Booth *v.* Alington (3) (do.)
Jowett *v.* Bentley (Cause pt. heard)
Robson *v.* Earl of Devon (Cause)
Baker *v.* Ellis (Mtn. for decree)
Holden *v.* Holden Cause
Hill *v.* Dolphin and ptn.
The Newry and Enniskillen Railway Company *v.* Spackman (Cause)
King *v.* King (Mtn. for decree)
Wright *v.* Sandars (Cause)
Lane *v.* Ansell (Cause)
Spong *v.* Straight (do.)
Nelson *v.* Booth (Mtn. for decree)
Barnes *v.* Jay (Fur. dirs. & costs)
Napper *v.* Dendy (Fur. consn. and summons)
Webster *v.* Webster (Cause)
Prudence *v.* Sutton (Mtn. for dec.)
Hodson *v.* Roberts (do.)
Halliley *v.* Henderson (do.)
Griffin *v.* Watts (do.)
Tanner *v.* Barton (do.)
Scott *v.* Mayor of Liverpool (Cause)
Gooch *v.* Slater (do.)
Forsyth *v.* Inglis (do.)
Hartley *v.* Whorlay (Mtn. for dec.)
Jesse *v.* Bennett (do.)
Wood *v.* Scarbrough (2) (Fur. cons.)
Horne *v.* Shepherd (2) (F. D. & costs)
Charlton *v.* Elgar (Fur. consn.)
Horne *v.* Warr (do. and petition)
Jones *v.* Vaughan (Cause)
Mesher *v.* Lane (Fur. consn.)
Blackmore *v.* Blackmore (Cause)
Sayer *v.* Bevan (Mtn. for decree)
Backhouse *v.* Wylde Fur. consn.
Backhouse *v.* Sturgis
Raiker *v.* Pike (Mtn. for decree)
Le Clair *v.* Richards (do.)
Hobson *v.* Searle (Claim)
Beloe *v.* Brame (Cause)

Visct. Ranelagh *v.* Lithgow (Claim)
Stone *v.* Stone (Cause)
In re Hemsley's Estate Fur. cons.
Bostock *v.* Wildbore from Ch.
Thomas *v.* Phillips (2) (F. D. & costs)
Osborn *v.* Walker (Cause)
Lansdell *v.* Luck (Adj. summons)
Bowes *v.* Goslett (Mtn. for decree)
Haywood *v.* Appleton (Fur. consn., short)
Stokes *v.* Crompton (do.)
Dendy *v.* Bagshaw (Cause)
Heath v. Dodman (Mtn. for decree)
Winstone *v.* Baroness Windsor (do.)
Weldon *v.* Hylton (do.)
Weldon *v.* Youard F. D. & costs
Weldon *v.* Fletcher
Searle *v.* Smales (Fur. consns.)
In re Hieron's Estate Fur. consn. from Chams.
Courage *v.* Hierons and ptn.
Johnson *v.* Lawrence (Mtn. for dec.)
Foster *v.* Cantley (Fur. consn.)
In re Canning's Estate (do.)
Wallis *v.* Bell
Mackintosh *v.* Great Western Railway Company (Adj. summons)
Eyre *v.* Barrow (Mtn. for decree)
Thackwell *v.* Masefield (do.)
Naylor *v.* Wright (Cause)
Skelton *v.* Cole (Mtn. for decree)
Woodburn *v.* Woodburn (Fur. cons.)
Wakefield *v.* Jones (do.)
Trapand *v.* Trapand (Motn. for decree, short)
Markham *v.* Stimpson (do.)
Farebrother *v.* Gibson (Cause)
Stonehouse *v.* Dobing (F. D. & costs)
Evans *v.* Richards Fur. consn.
Jones *v.* Richards
Beech *v.* Viscount St. Vincent (Mtn. for decree)
Woodward *v.* Woodward (do.)
Helmer *v.* Addison (Cause)

V. C. SIR W. PAGE WOOD.

Causes, &c.

Stansfeld *v.* Williams (Cause pt. hd.)
Joel *v.* Mills (Mtn. for dec. pt. hd.)
De la Rue *v.* Dickinson (Ex. to ans.)
Willoughby *v.* Chamberlaine (Dem.)
Bailey *v.* Judd (do.)
Rigg *v.* Rigg (Mtn. for decree)
Matthews *v.* Amlott (Fur. consn.)
Fasana *v.* Riccucci (do.)
Thomas *v.* Thomas (do.)
Parker *v.* Phillips (do.)

Langdale *v.* Whitfield (Mtn. for dec.)
Couchman *v.* Dennett (Fur. consn.)
Rushout *v.* Turner (Mtn. for decree)
Thornton *v.* Stevenson (Cause)
Clarke *v.* Ronald (do.)
Janes *v.* Page (do.) June 8.
Mingay *v.* Page
Monypenny *v.* Monypenny (F. cons.)
Holland *v.* Johnson (Mtn. for decree) June 12

Bennett *v.* Adamson (do.)
Roberts *v.* Pollard (do.)
Pollard *v.* Wilson (do.)
Taylor *v.* Hopkins (Cause)
Fowler *v.* Pierce (Mtn. for decree)
Foster *v.* Foster (do.)
Hounsell *v.* Edwards (Cause)
Mumford *v.* Little (Mtn. for decree)
Bosville *v.* Lord Middleton (do.)
Tovell *v.* Eastern Union Ry. Co. (do.)
The Company of Proprietors of the Leominster Canal Navigation *v.* The Shrewsbury and Hereford Railway Company (do.)
Browne *v.* The London Necropolis and National Mausoleum Co. (do.)
Bolden *v.* Ricoly (Cause)
Webb *v.* Hewett (Mtn. for decree)
Amiss *v.* Hall (Fur. consn.)
Startin *v.* Packover (Mtn. for dec.)
Carey *v.* Carey (Fur. consn.)
Cockram *v.* Rogers Cause.
Cockram *v.* Rogers
Dugdale *v.* Robertson (Mtn. for dec.)
Baker *v.* Armitage (do.)
East Anglian Railway Co. *v.* Goodwin (Cause)
Hounsell *v.* Edwards (Mtn. for dec.)
Whitham *v.* Whitham (Cause)
Smith *v.* Long (Fur. hearing on equity reserved
Fisher *v.* Coffey (Cause)
Bell *v.* Adams (Fur. consn. & mtn. to vary certificate
Grigg *v.* Carr (Mtn. for decree).
Robins *v.* Pearse (do.)
Howell *v.* Charles (Cause)
Forbes *v.* Forbes (do.)
London and Blackwall Railway Co. *v.* The Board of Works for the Limehouse District (do.)

Lovett *v.* Lovett Fur. consonon.
Lovett *v.* Wallis equity reserved
Potts *v.* Potts (Mtn, for decree)
Marsh *v.* Means (do.)
Smith *v.* Lord Dacre (do.)
Holmes *v.* Eastern Counties Railway Co. (do.)
Johnson *v.* Hollingsworth (do.)
Garrett *v.* Kennedy (Fur. consn.)
Browne *v.* Green (Claim)
Hall *v.* Burt (Cause)
Brooke *v.* Garrod (Mtn. for decree)
Mills *v.* Hunt (Claim)
Whateley *v.* Spooner (Mtn. for dec.)
Tomlinson *v.* Harnew (Cause)
Salisbury *v.* Denton (Mtn. for dec.)
Hodsoll *v.* Bird (Cause)
Churchward *v.* Jackson (Fur. cons.)
Atkinson *v.* Atkinson (Mtn. for dec.)
Preece *v.* Seale (Cause)
Davison *v.* Robinson (do.)
Kennedy *v.* Sedgwick (Mtn. for dec.)
Shribley *v.* Lambert Fur. consn.
Shribley *v.* Lambert
Cummins *v.* Bromfield (do.)
Harris *v.* Smith (Cause)
Carter *v.* Carter (Fur. consn.)
Owen *v.* Hotham (do.)
Spicer *v.* Fox (Special case)
Claydon *v.* Finch (Fur. consn.)
Calvert *v.* Johnson (Special case)
Goodman *v.* Sherwood (Fur. cons.)
Sympsons *v.* Prothero (Mtn. for dec.)
Toynbee *v.* Duckering (Fur. cons.)
Snelgar *v.* Chambers (Mtn. for dec.)
Addenbrooke *v.* Ormes Fur. cons.
Addenbrooke *v.* Ormes
Squire *v.* Turner (Claim)
Marshall *v.* Jones (Cause)
Hervey *v.* Mills (Mtn. for decree)
Chambers v. Flood (do.)

House of Lords.

PRESENT SESSION.

(For List of Causes set down for hearing previous to First Session of 1857 see p. 169, *ante.*)

Set down in Session 1857.

Scotland. The Bartonshill Coal Co. et al. *v.* Stewart or M'Guire (Bill of Exceptions) ex parte.
Ireland. M'Mahon *v.* Sir T. B. Lennard, Bart., et. al. (Writ of Error), Bill of Exceptions.
Exch. Chamb.
Scotland. ...Stephenson & Co. et al. *v.* Thomson.
Ireland. The Midland Great Western Railway of Ireland Co. *v.* Johnson & Another.
Chancery.
England. Bagshaw *v.* Seymour (in Error).
Exch. Chamb.
" ...Bagshaw *v.* Lane (in Error).
Scotland. ...Kippen & Another *v.* Darley, et. al.
Ireland. Rutledge, et al. *v.* Rutledge & Another.
Chancery.
England. Vickers & Another *v.* Pound et al.
Chancery.
" ...Ricketts, et al. *v.* Carpenter et al., ex parte as to certain Respondents.
" ...Abbott et al. *v.* Middleton et al., ex parte as to certain Respondents.

Causes fully heard.

England. Wightwick *v.* Lord.
Chancery.
" ...The Shrewsbury and Birmingham Railway Co. *v.* the London and North-Western Railway Co. et al.

Claim of Peerage, and Claim to Vote for Representative Peers for Ireland, depending.

Taaffe Peerage. | Earl of Carrick's claim to vote.
Lord Fermoy's claim to vote.

Queen's Bench.

ENLARGED RULES.—TRINITY TERM, 1857,

To the First Day of Term.

Traherne and another *v.* Gardner and another
The Queen *v.* The Inhabitants of Aberyskir
The Queen *v.* Surveyors of Horsforth
The Queen *v.* William P. Lhoyd
The Queen *v.* William Cockburn
The Queen *v.* Sir John Conroy (to come on as a motion)

To the Fourth Day of Term.

The Queen *v.* The Justices of Gloucestershire

SPECIAL PAPER.

For Judgment.

Dem. Trevelyan *v* Richards

For Argument.

Dem. Chamberlaine *v.* Willoughby and another (stands for arrangement)
Sp. Case. Blackwell and another *v.* Wheatcroft (stands over until judgment given in case in error)
Demrs. Sharp and another *v.* Waterhouse and another (the case in New Trial Paper to be argued with these demurrers)
Sp. Case. The Metropolitan Board of Works *v.* The Vauxhall Bridge Company
Demrs. Gurdon *v.* Norden
Sp. Case. Aldridge *v.* Johnson
Dem. Scott *v.* Taylor and another
Demrs. Dixon *v.* Holroyd

Sp. Case. Howell, Vestry Clerk, &c., *v.* The London Dock Company
" Clay *v.* Worms
Dem. The Queen *v.* Eton College and another
Award. Jackson *v.* Courtenay, Clerk, and another
Sp. Case. Fraser *v.* Jordan

NEW TRIAL PAPER.

For Judgment.

London ..... Wheelton and others *v.* Hardisty

For Argument.

" ..... Bovill *v.* Keyworth and Another (to be further argued on the second day of Term)

MICHAELMAS TERM, 1856.

Middlesex ..... Fisher *v.* Jordan (tried during Term)

EASTER TERM, 1857.

" ..... Milburn *v.* Cotterell
London ..... De la Rue *v.* Dickinson (for the third day of Term)
" ..... Schuster and Others *v.* M'Kellar and Another
" ..... Birch, Bart., *v.* Jury
" ..... Hartley *v.* Ponsonby
" ..... Summers *v.* Solomon
Northumberland. Parker *v.* Winlo
" Stokoe and Another *v.* Singers
" Heald *v.* Pickersgill
York ..... Sharpe and Another *v.* Waterhouse and Another (to come on for argument with the demurrers)
" ..... Dixon *v.* Holroyd
" ..... The North Eastern Railway Company *v.* North
" ..... Houldsworth and Others *v.* Morley
Liverpool ..... Charles *v.* National Guardian Assurance Society
" ..... Mavrogordato *v.* Hindson
Somerset ..... Davies *v.* Morland
Essex ..... Wigfield *v.* Shield
Sussex ..... Stedman and Another *v.* Smith
Stafford ..... Baggaley *v.* Davy
Gloucester..... Roux *v.* Cardinal Wiseman
" Packer *v.* Winterbotham and Another
Pembroke ..... Mathias *v.* Evans

Tried during Term.

London ..... Simons *v.* Fisher

CROWN PAPER.—TRINITY TERM, 1857.

New Case.

Kingston-on-Hull.—The Queen on the Prosecution of Local Board of Health, Respondents, *v.* John B. Barkworth and Another, Appellants.

Common Pleas.

DEMURRER PAPER.—TRINITY TERM, 1857.

Friday, May 22 .....
Saturday, May 23 .....
Monday, May 25 ..... } Motions in arrest of Judgment.
Tuesday, May 26 .....

Special Arguments.—Friday, May 29.

Dem. Tobias *v.* Jarchow (to stand over till Esposito *v.* Bowden in Exchequer Chamber is disposed of).
Nisi Pri. Ca. Graham and Another, Assignees, &c. *v.* Hutchinson and Another.
Co. Cot. Ap. Chesterton, Appellant *v.* Bramley, Respondent.
Dem. Surr *v.* Lee.
" Smith *v.* Mayor, &c., of Harwich.
" The Vestry of St. Pancras *v.* Battenbury.
Nisi Pri. Ca. Barrick and Others *v.* Buba and Another.
Ca. by order Emery *v.* Clark.

Tuesday, June 2.

Co. Cot. Ap. The London and North-Western Railway Company, Appellants *v.* Grace, Respondent.
Nisi Pri. Ca. Carpenter *v.* Parker.

ENLARGED RULES.

To the First Day of Term.

In the matter of Messrs. Corner, Gentleman.
" the complaint of Thomas Moy *v.* The Eastern Counties Railway Company.

To the Second Day of Term.

Walker *v.* Bartlett (until proceedings in Chancery are determined).
Walter and Ux. *v.* Whitaker.

NEW TRIAL.—HILARY TERM, 1857.

London Wickens *v.* Steel and Another.
" Michael *v.* Gillespy.
Middlesex Patten *v.* Rea.
" Pound *v.* Dawson and Another.
" Roberts *v.* Eberhardt.

EASTER TERM, 1857.

London Simmonds *v.* Tayler, P. O., &c.
" Simpson and Others, Executors, &c. *v.* The Accidental Death Insurance Company.
Liverpool Bellhouse and Another *v.* The Mayor, &c., of Manchester
Cambridge Holmes *v.* Onion
London Rankin *v.* Payne
Liverpool Jones, Administrator, &c., *v.* Provincial Insurance Company
London Duff *v.* Mackenzie
" Cahill and Another Executor, &c., *v.* Dawson
" Tuff *v.* Warman
" Lindsay *v.* Robertson and Others
" Wood *v.* Layton
York Delaney *v.* Fox
London Andrews *v.* Belfield
" Last *v.* Edwards
Kent Neyler and Another *v.* Passfield
Northampton Lovell *v.* Smith
Middlesex Ling *v.* Croker
Chester Sutton *v.* Sadler and Another
Middlesex King *v.* The Accumulative Life Fund and General Assurance Company
" Gauntlett *v.* King and Another
London Laws and Another *v.* Rand
Middlesex Horlor *v.* Carpenter
" Matthews and Another *v.* Feuillan

Cur. ad. vult.

Fraser *v.* Hatton and Another
Loder *v.* Kekule
Florence *v.* Jenings
Jenings *v.* Florence
Tetley *v.* Easton and Another
Cockerell *v.* Aucompte
Sheetry *v.* The Professional Life Assurance Company
Giles *v.* Spencer
Gorrissen and Others *v.* Perrin and Others

Births, Marriages, and Deaths.

BIRTHS.

GOODSON—On May 17, at 19, Sunderland-terrace, Westbourne-park, the wife of James Goodson, Esq., barrister-at-law, of a son.
PRUDENCE—On May 4, the wife of Stanley G. Prudence, of Gray's-inn, solicitor, of a daughter.
YATES—On May 13, at Wellbank, in the county of Chester, the wife of Joseph St. John Yates, Esq., Judge of County Courts, of a son.

MARRIAGES.

BEVAN—READ—On May 20, at the parish church, Leeds, by the Rev W. F. Hook, D.D., vicar, William Bevan, Esq., of the Old Jewry, and and Westbourne-park, London, to Maria Sofia, eldest surviving daughter of the late Henry Read, Esq., of Lima, Peru.
COLES—SHARMAN—On May 14, at Hardwick, Northamptonshire, by the Rev. Charles Burnham, John Henry Campion Coles, of Eastbourne, Sussex, solicitor, to Sarah Elizabeth, second daughter of Mr. Archibald Sharman, of Hardwick.
GREENHOW—MARTINEAU—On May 20, at the Brixton Unitarian Chapel, Effra-road, by the Rev. James Martineau, of Liverpool, William Thomas Greenhow, Esq., of the Middle Temple, barrister-at-law, to Marion, eldest daughter of the late Charles Martineau, Esq., of Tulse-hill.
PRINGLE—DOPPING—On May 6, at St. Mathew's Church, Guernsey, by the Rev. R. Ozanne, M.A., Charles John Pringle, Esq., of H. M. Dockyard, Woolwich, to Frances Julia, widow of the late Samuel Dopping, Esq., barrister-at-law, and eldest daughter of the late John Hankey Sweeting, Esq., of Kilve Court, Somerset.

DEATHS.

DRYDEN—On May 18, at Cottingham, after a short illness, Wm. Ritson Dryden, Esq., solicitor, of Kingston-upon-Hull, aged 42.
FRESHFIELD—On May 19, at his father's house, in Devonshire-place, James William Freshfield, jun., Esq., solicitor to the Bank, of New Bank-buildings, and Reigate, aged 56.
SMITH—On May 13, at Upper George-street, Bryanston-square, of fever, Mary, widow of the late John Smith, Esq., of Hatch-street, Dublin, barrister-at-law, aged 63.
TOPPING—On May 17, at his residence, 69 Shepperton-cottages, New North-road, Islington, Samuel Robert Topping, Esq., solicitor, aged 71.

Unclaimed Stock in the Bank of England.

The Amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—

BRIDGLAND, THOMAS, Bexley, Kent, labourer, £50 Consols.—Claimed by THOMAS BRIDGLAND.

FRANKLAND, FREDERICK WILLIAM, Muntham, Sussex, Esq., and CHARLES COLVILLE FRANKLAND, Cheltenham, Post Captain, R.N., £179 : 2 : 6 Consols.—Claimed by Sir FREDERICK WILLIAM FRANKLAND, Bart., and CHARLES COLVILLE FRANKLAND.

GRIER, SARAH, Bedford-pl., spinster, £95 : 10 : 11 New 3 per Cents.—Claimed by DAVID JARDINE, surviving executor.

HOLFORD, JOHN JOSIAH, London, merchant, JOHN RICHARD BAKER, Bedford-pl., Esq., and JAMES ABEL, Hampstead, Esq., £200 per annum Long Annuities.—Claimed by EDWARD FREDERICK DIMOND, surviving executor of JOHN RICHARD BAKER, who was the survivor.

IMPEY, ELIJAH BARWELL, Clapham, Surrey, Esq., and GEORGE BRUDENELL MICHELSON LOVIBOND, Manchester-sq., Esq., £78 : 16 : 11.—Claimed by GEORGE BRUDENELL MICHELSON LOVIBOND, the survivor.

INGLIS, Sir ROBERT HARRY, Milton Brian, Beds., Bart., and THOMAS FOWELL BUXTON, North Repps Hall, Norfolk, Esq., £2,000 Consols.—Claimed by Sir THOMAS DYKE ACLAND, Killerton, Devon, Bart., Ven. BENJAMIN HARRISON, Precincts of the Cathedral, Canterbury, and JOHN GREEN, Woburn, Beds., Esq.

MARSDEN, THEODOSIA HARRIETT, Kempsey, Worcestershire, spinster, £37 : 7 : 9 Consols.—Claimed by THEODOSIA HARRIETT MARSDEN.

MULLETT, ROBERT, Barking, Essex, sailmaker, £206 : 9 : 2 New 3 per Cents.—Claimed by ROBERT MULLETT.

PACKE, FRANCES, Kington, Dorsetshire, spinster, £150 New 3 per Cents.—Claimed by FRANCES PACKE.

PILLANS, Rev. WILLIAM HUNTINGDON, Hanley Rectory, Staffordshire, £451 : 17 : 8 Consols.—Claimed by LOUISA JEMIMA PILLANS, widow, sole executrix.

PRICE, MATTHEW GUERIN, Guernsey, Esq., Rev. ALGERNON GRENFELL, Rugby, Warwickshire, JAMES PARKER, Lincoln's-inn, Esq., and GEORGE GISBORNE BABINGTON, Golden-sq., Esq., £110 : 17 : 5 Consols.—Claimed by SARAH ANN BABINGTON, widow, sole executrix of GEORGE GISBORNE BABINGTON, who was the survivor.

RESKAR, HESTER SOPHIA, Shedfield, Wickham, Hants, spinster, £46 : 5 : 4 New 3 per cents.—Claimed by HESTER SOPHIA HAMMOND, widow, formerly HESTER SOPHIA RESKAR, spinster.

Heirs at Law and Next of Kin

Advertised for in the London Gazette *and elsewhere during the Week.*

DAVIS, JOSIAH, Merchant; DELANNOY, PETER, Gent.; FOWKS, PETER, Gent.; MICKLETHWAIT, JOSEPH, Merchant; MILLER, THOMAS, Merchant SHEPPARD, WILLIAM, Goldsmith; WEST, LORD; WEST, ANDREW; WEST; EDWARD; WEST, GEORGE; WESTLAND, GEORGE; WESTLAND, ROBERT. The above were all living in London about 1700.—Next of kin to apply to "D.," care of Mr. Maniere, solicitor, 31 Bedford-row.

French, James (whose parents reside in or near Limehouse about seven years ago) left Yarmouth, Nova Scotia, in the year 1846, and has not since been heard of.—His next of kin to apply to "R. C.," 9 Lime-st.

Stewart, Archibald, deceased, supposed to have been a native of Perth, formerly a constable R Division Metropolitan Police, and enlisted about twenty years ago in the Scotch Fusilier Guards.—Next of kin to apply to Mr. Mallalieu, Blackheath-rd., Greenwich.

Money Market.

CITY, Friday Evening.

The funds have been more variable during this week than for some time past. On Monday there was improvement both in English and Foreign securities. Subsequently the tendency has been downward, resulting in a decline of ¼ per cent. in consols. Foreign Securities were proportionably heavy. The demand for discount has been very active for the purpose of carrying over accounts to the next settlement of consols. Generally, the demands for money have been numerous but without any great degree of pressure. The Government brokers continue their daily purchases of £30,000 exchequer bills. From the Bank of England return for the week ending the 16th May, 1857, which we give below it appears that the amount of notes in circulation is £19,244,925 being a decrease of £96,665, and the stock of bullion in both departments is £9,853,609, showing an increase of £45,482 when compared with the previous return.

It has been stated that the directors of the Bank of France are engaged in making fresh purchases of gold, but the fact is not clearly ascertained. A very heavy failure has occurred in the Paris money market. The defaulter, M. Thurneyssen, is a family connection of M. Pereire, the President of the Crédit Mobilier.

In Mark Lane there was on Monday a further decline in the price of grain, since which more steadiness has been apparent. From the country, reports have been variable. At Manchester, Birmingham, and other markets where large consumption exists, there has been some recovery. In the agricultural districts prices have followed the decline in Mark Lane. Arrivals from abroad have been tolerably large at Liverpool. If the opinion should prevail that the price of grain is likely to be too much depressed, such fears will be relieved by a statement lately published, to the effect that, in spite of free trade, and the importation of forty million quarters of wheat, the average price during the ten years ending with 1856, has been but one shilling a quarter less than during the ten years which ended with 1846, and two shillings greater than in the ten years which ended with 1836, when protection was in its greatest strength.

The last accounts from India and China have imparted fresh activity to the demand for silver and gold for exportation to the East. The amount of the precious metals exported from this country to India and China in the present year, up to the end of April, is £5,553,240. During the corresponding period of last year the amount was £3,202,984, and the excess of this year is believed to have increased during the present month. Previous intelligence, together with the state of the exchange, led to the conclusion that further exportation would not be in demand, but this view is not confirmed by recent arrivals. Silver is in active request for shipment to India, and about £200,000 in gold is said to have been drawn from the Bank, to supply the demand in Scotland. These circumstances make it appear that the drain of bullion, and the high rate of interest which have so long ruled the money market in this country, are still in operation. Reports from the manufacturers of cotton and wool represent great flatness to exist in their trades. Since the late change of wind, the importation of cotton at Liverpool has been very large. If the price declines in consequence of this large supply, it is probable that operations at Manchester will become more active.

Bank of England.

AN ACCOUNT, PURSUANT TO THE ACT 7TH AND 8TH VICTORIA, C. 32, FOR THE WEEK ENDING ON SATURDAY, THE 16TH DAY OF MAY, 1857.

ISSUE DEPARTMENT.

	£		£
Notes issued	23,594,790	Government Debt	11,015,100
		Other Securities	3,459,900
		Gold Coin and Bullion	9,119,790
		Silver Bullion	...
	£23,594,790		£23,594,790

BANKING DEPARTMENT.

	£		£
Proprietors' Capital	14,553,000	Government Securities (incl. Dead Weight Annuity)	10,329,041
Rest	3,340,201	Other Securities	18,445,666
Public Deposits (including Exchequer, Savings' Banks, Commissioners of National Debt, and Dividend Accounts)	5,651,924	Notes	4,349,865
		Gold and Silver Coin	733,819
Other Deposits	9,589,236		
Seven day & other Bills	724,030		
	£33,858,391		£33,858,391

Dated the 21st day of May, 1857 M. Marshall, Chief Cashier.

English Funds.

English Funds.	Sat.	Mon.	Tues.	Wed	Thur.	Fri.
Bank Stock	212 14	213½ 12	213½	213½ 12	...	...
3 per Cent. Red. Ann.	92½ ⅜	92½ ⅜ ⅝	92½	92½ ⅜ ½	92½ ½	92½
3 per Cent. Cons. Ann.	93⅞ ⅝	93⅞ 4	93⅞ 4	93⅞ ½ ⅝	93⅞ ⅝	93⅞
New 3 per Cent. Ann.	92⅝ ½	92⅝ ½ ⅝	92⅝ ½	92⅝ ½	92½ ½ ⅝	92½
New 2½ per Cent. Ann	...	...	78	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
Long Ann. (exp. Jan. 5, 1860)	...	...	2 7-16	2 7-16	2 7-16	...
Do. 30 years (exp. Oct. 10, 1859	...	...	...	...	...	...
Do. 30 years (exp. Jan. 5, 1860)	...	...	...	...	...	...
Do. do. 1860	...	...	...	...	...	...
Do. 30 years (exp. Apr. 5, 1885)	18 1-16	...	17⅞	18	...	...
India Stock	220	222	222	222	...	...
India Bonds (£1,000)	...	...	...	7s. dis.	4s. dis.	3s. dis.
Do. (under £1,000)	...	4s. dis.	7s. dis.	...	3s. dis.	...
Exch. Bills (£1,000) Mar.	5s. pm.	3s. pm.	5s. pm.	4s. pm.	5s. pm.	5s. pm.
——— June	par	2s. pm.	3s. pm.	3s. pm.	2s. pm.	1s. pm.
Exch. Bills (£500) Mar.	5s. pm.	5s. pm.	6s. pm.	...	4s. pm.	4s. pm.
——— June	par	...	5s. pm.	...	4s. pm.	...
Exch. Bills (Small) Mar.	5s. pm.	...	3s. pm.	6s. pm.	4s. pm.	...
——— June	par	...	5s. pm.	5s. pm.	3s. pm.	2s. pm.
Exch. Bonds, 1858, 3½ per Cent.	98⅛ ⅜	...	...	...	...	99
Exch. Bonds, 1859, 3½ per Cent.	98⅛ ⅜	98⅜	98⅜ ½	...	...	...

Insurance Companies.

MAY 8.

Equity and Law	5½
English and Scottish Law	4½
Law Fire	3⅜
Law Life	62 x d
Legal and General Life	5
London and Provincial	3

Railway Stock.

Railways.	Sat.	Mon.	Tues.	Wed.	Thur	Fri.
Bristol and Exeter	...	...	...	...	...	...
Caledonian	73 2⅜	73½	72⅜ 3	72⅜	72½	71⅝
Chester and Holyhead	35½	35⅝ ½	...	35½	36½	36
East Anglian	...	19½	19½	19	...	18⅜
Eastern Union A stock	...	...	...	...	...	...
East Lancashire	...	...	97⅜	98	...	...
Edinburgh and Glasgow	61⅛	61½	...	61	60	...
Edin., Perth. & Dundee	33½	33½	33½ 2⅜	33½ 2⅜	32⅝ ⅜	33½
Glasgow & South Western	...	...	...	...	99	...
Great Northern	...	97⅜	98 7½	97½ ½	...	...
Gt. South & West. (Ire.)	...	...	103	102½ 3½	103½	103⅜
Great Western	67½ ½	67½ 7	66⅝ ⅜ ½	66⅝	66½	66⅜
Lancashire & Yorkshire	101⅜	102 1⅜	101⅜ ⅜	101⅜ ½	101½ ½	100⅜
Lon., Brighton, & S. Coast	111½	111½ ½	111½ ½	111½	111⅜	112
London & North Western	105⅝ 6	105½ ⅝	105½ ⅜	104⅝ 5⅛	104⅜ 5	104⅛
London and S. Western	99⅜	99⅜	99⅛ 9	99⅛ 8⅜	99 8½ ⅜	98⅜
Man., Shef., and Lincoln	43 2⅝	43½ ⅜	43½	42½ 1⅜	42 1⅜ 2½	41⅜
Midland	83⅛ ⅜	83⅜ ⅜	83⅛ ⅜	83⅛ 2⅜	83 2⅝	82⅜
Norfolk	65 4½	64	64	...	63½ 4	...
North British	43½ 3	...	...	43	43	...
North Eastern (Berwick)	87½	87½ ½	...	87½ 6⅜	87 6½	86⅛
North London	...	...	97½	...	...	...
Oxford, Worc. & Wolv.	31½	31½	...	...	30½ ⅜	...
Scottish Central	...	106	107	...	...	...
Scot. N.E. Aberdeen Stock	...	...	25⅜	...	25½	25⅜
Shropshire Union	...	...	...	49	49½	...
South-Eastern	75	75	...	...	...	...
South-Wales	86½ ½	86½ ½	86½	86½	...	...

London Gazettes.

Bankrupts.

TUESDAY, *May* 19, 1857.

ATKINSON, George, Commission Agent, Lincoln. June 10 and July 8, at 12; Kingston-upon-Hull. *Com.* Ayrton. *Off. Ass.* Carrick. *Sol.* Chambers, Lincoln. *Pet.* May 13.

BROWN, John Henry, jun. (Brown, Brothers, & Co.), Commission Merchant, Newcastle-upon-Tyne. May 29, at 11, and July 14, at 12; Newcastle-upon-Tyne. *Com.* Ellison. *Off. Ass.* Baker. *Sols.* Hoyle, Newcastle-upon-Tyne; or Watson, 10 Royal-arcade, Newcastle-upon-Tyne. *Pet.* May 5.

COX, HENRY IVIMEY, Grocer, High-st., *Stratford* (and not *Shalford*, as advertised in last Friday's *Gazette*).

ELLIS, ALFRED, Wine Merchant, Wimborne, Dorset. May 30, at 12, and June 30, at 1; Basinghall-st. *Com.* Holroyd. *Off. Ass.* Edwards. *Sols.* Taylor & Woodward, 28 Gt. James-st., Bedford-row. *Pet.* April 30.

GREGORY, WILLIAM JOHN, Bedding Manufacturer, Leeds. June 8, at 12, and July 6, at 11; Leeds. *Com.* Ayrton. *Off. Ass.* Hope. *Sols.* Dibb, Atkinson, & Piper; or Markland, Leeds.

HILL, CHARLES WILLIAM, Anvil-maker, Digbeth, Birmingham. June 1 and 22, at 10; Birmingham. *Com.* Balguy. *Off. Ass.* Christie. *Sols.* Hodgson & Allen, Birmingham. *Pet.* May 15.

KEMP, THOMAS REGINALD, & GEORGE CLAY, Bill Brokers, 7 Nicholas-la., Lombard-st. May 30, at 11, and June 30, at 1; Basinghall-st. *Com.* Holroyd. *Off. Ass.* Lee. *Sols.* Lawrance, Plews, & Boyer, 14 Old Jewry-chambers. *Pet.* May 16.

LEWIS, LEWIS, Draper, 58 Exmouth-st., Clerkenwell. June 2, at 2, and June 30, at 12; Basinghall-st. *Com.* Holroyd. *Off. Ass.* Edwards. *Sol.* Jones, 15 Sise-la. *Pet.* May 8.

MOODY, CHARLES, Saw and File Maker, 128 Queen-st., Portsea. May 28, at 11.30, and June 25, at 2; Basinghall-st. *Com.* Evans. *Off. Ass.* Johnson. *Sols.* Maples, Maples, & Pearse, Frederick-pl., Old Jewry. *Pet.* May 16.

MUNDAY, SAMUEL, Baker, 110 High-st., Gosport. May 29, at 12, and July 3, at 1; Basinghall-st. *Com.* Fane. *Off. Ass.* Whitmore. *Sol.* Low, 65 Chancery-la. *Pet.* May 16.

STEVENTON, THOMAS BAILEY, Grocer, Stoke-la., Stoke-upon-Trent, Staffordshire. May 29 and June 19, at 11.30; Birmingham. *Com.* Balguy. *Off. Ass.* Whitmore. *Sols.* Stevenson, Stoke-upon-Trent; or Hodgson & Allen, Birmingham. *Pet.* May 15.

TORRING, RICHARD, Builder, 50 Cobourg-st., Plymouth. May 25, at 10, and June 22, at 1; Plymouth. *Com.* Bere. *Off. Ass.* Hirtzel. *Sols.* Edmonds & Sons, Parade, Plymouth. *Pet.* May 18.

WARD ,GEORGE, Licensed Victualler, Liverpool. June 4 and 25, at 11; Liverpool. *Com.* Stevenson. *Off. Ass.* Bird. *Sols.* Neal & Martin, Sweeting-la., Liverpool. *Pet.* May 13.

WARD, SAMUEL PEACE, Timber Merchant, Cheshunt, Hertfordshire, late of 8 Ledbury-ter., Westbourne-grove West, Bayswater. May 28, at 12, and June 26, at 11; Basinghall-st. *Com.* Evans. *Off. Ass.* Johnson. *Sols.* King & George, King-st., Cheapside. *Pet.* May 12.

FRIDAY, *May* 22, 1857.

BAKER, BENJAMIN, Apothecary, Cardiff, Glamorganshire. June 3 and July 6, at 11; Bristol. *Com.* Hill. *Off. Ass.* Miller. *Sols.* Cruttwell & Co., Bath; or Bevan & Girling, Bristol. *Pet.* May 18.

BARBER, JOHN, Miller, Canal-st. and John-st., Derby, and Stanley. June 9 and 23, at 10.30; Nottingham. *Com.* Balguy. *Off. Ass.* Harris. *Sols.* Baker, Derby; or Reece, Birmingham. *Pet.* May 14.

BENTLEY, JAMES, Ironmonger, Warrington. June 10 and July 1, at 12; Manchester. *Off. Ass.* Pott. *Sols.* Sale, Worthington, & Shipman, Manchester; or Baker, Birmingham. *Pet.* May 16.

BOOTH, GEORGE ROBINS, Engineer, 9 Portland-pl., Wandsworth-rd. June 2, at 12.30, and June 30, at 11; Basinghall-st. *Com.* Evans. *Off. Ass.* Bell. *Sol.* Greatorex, 58 Chancery-la. *Pet.* May 19.

CARRIER, THOMAS, General-dealer, Wolverhampton. June 5 and 26, at 11.30; Birmingham. *Com.* Balguy. *Off. Ass.* Whitmore. *Sols.* Bartleet, Wolverhampton; or Finlay Knight, Birmingham. *Pet.* May 21.

DANCE, JOHN, & HENRY WANE, Grocers, Fairford, Gloucestershire. June 3 and July 7, at 11; Bristol. *Com.* Hill. *Off. Ass.* Miller. *Sol.* Trenerry, Bristol. *Pet.* May 13.

ELSAM, EDWARD, Merchant, Liverpool; and at Bombay (Elsam & Brother). May 29 and June 25, at 11; Liverpool. *Com.* Stevenson. *Off. Ass.* Bird. *Sols.* Fletcher & Hull, North John-st., Liverpool. *Pet.* May 15.

HAIR, JOHN (John & Joseph Hair), Ship and Insurance Broker, Newcastle-upon-Tyne. June 11, at 11, and July 10, at 12; Newcastle-upon-Tyne. *Com.* Ellison. *Off. Ass.* Baker. *Sols.* T. & W. Chater, Newcastle-upon-Tyne. *Pet.* May 19.

ILIFFE, JAMES, Commission Agent, Edmund-st., Birmingham, and lately of 53 Watling-st., Cheapside. June 3 and 24, at 10.30; Birmingham. *Com.* Balguy. *Off. Ass.* Christie. *Sol.* Reece, Birmingham. *Pet.* May 14.

JONES, THOMAS, Grocer, High-st., Merthyr Tydfil, Glamorganshire. June 3 and July 7, at 11; Bristol. *Com.* Hill. *Off. Ass.* Acraman. *Sols.* Bevan & Girling, Small-st., Bristol. *Pet* May 13.

KEETLEY, ROBERT, Ship Builder, Great Grimsby, Lincolnshire. June 3 and July 8, at 12; Kingston-upon-Hull. *Com.* Ayrton. *Off. Ass.* Carrick. *Sols.* Richardson & Sadler, 14, Old Jewry-chambers, London, or Bond & Barwick, Leeds. *Pet.* May 8.

MANSER, FRANCIS, Baker, 1, Brownlow-pl., Queen's-rd., Haggerstone, Shoreditch. June 2, at 12, and July 3, at 11; Basinghall-st. *Com.* Holroyd. *Off. Ass.* Lee. *Sol.* Small, 20, Lawrence-lane, London. *Pet.* May 19.

PARRY, JOEL, & JOSEPH PARRY, Builders, Houghton-st., Clare-mkt. May 29, at 11, and July 3, at 2; Basinghall-st. *Com.* Fane. *Off. Ass.* Whitmore. *Sol.* Murrough, 5 New-inn. *Pet.* May 14.

PRIESTLEY, LUKE, Worsted Manufacturer, Dudley-hill, Bradford, Yorkshire. June 4 and July 3, at 11; Leeds. *Com.* West. *Off. Ass.* Young. *Sols.* Barber, Brighouse; or Cariss & Cudworth, Leeds. *Pet.* May 20.

RICHARDS, WILLIAM HENRY, & SIGISMUND LOUIS BORKHEIM, Merchants, 7, Gracechurch-st., and at Balaklava, in the Crimea. June 2, at 2, and June 30, at 1; Basinghall-st. *Com.* Fonblanque. *Off. Ass.* Graham. *Sols.* Dimmock & Burbey, 2 Suffolk-lane. *Pet.* May 21.

SAVAGE, JAMES, sen., CHARLES JOHN SAVAGE, & JAMES SAVAGE, jun., Shirt Manufacturers, 40 Noble-st. June 2, at 12.30, and June 30, at 12; Basinghall-st. *Com.* Fonblanque. *Off. Ass.* Stansfeld. *Sols.* Sole, Turner, & Turner, 68 Aldermanbury. *Pet.* May 23.

TEALL, EDWARD, & REUBEN TEALL, Boat Builders, Leeds. June 4 and July 3, at 11; Leeds. *Com.* West. *Off. Ass,* Young. *Sols.* Weddall & Parker, Selby, or Bond & Barwick, Leeds. *Pet.* May 14.

BANKRUPTCIES ANNULLED.

TUESDAY, *May* 19 ,1857.

DOWLAND, FREDERICK BLUCHER, Builder, 3 Dacre-pl., Church-la., Lee, Kent. May 16.

FOX, CHARLES, Corn and Flour Dealer, Chester-rd., Hulme, Manchester. May 14.

FRIDAY, *May* 22, 1857.

BOOKLESS, JAMES (Miller & Bookless), Grocer, Maryport, Cumberland. April 9.

MEETINGS.

TUESDAY, *May* 19, 1857.

ANDERSON, GEORGE, Stationer, 190 Upper-st., Islington. June 11, at 11.30; Basinghall-st. *Com.* Evans. *Div.*

BENNETT, ANTHONY, Painter, Ashton-under-Lyne, Lancashire. June 10, at 12; Manchester. *Com.* Jemmett. *Div.*

BYERS, MICHAEL, & THOMAS BYERS, Shipbuilders, Monkwearmouth Shore, Sunderland. June 10, at 12; Royal-arcade, Newcastle-upon-Tyne. *Com.* Ellison. *Second Div.* joint est.; and sep. est. M. Byers.

CHARLES, ROBERT RUMNEY, & WILLIAM FORDYCE, Paper Manufacturers, Haughton, Northumberland. June 11, at 11; Royal-arcade, Newcastle-upon-Tyne. *Com.* Ellison. *Div.* sep. est. R. R. Charles.

COGDON, THOMAS HENRY, Plumber, Sunderland. June 12, at 12; Royal-arcade, Newcastle-upon-Tyne. *Com.* Ellison. *First Div.*

CRAIG, SAMUEL, Grocer, Nuneaton, Warwickshire. June 12, at 11.30; Birmingham. *Com.* Balguy. *Div.*

DAVIS, DAVID, General-shop-keeper, Merthyr Tydfil, Glamorganshire. June 11, at 11; Bristol. *Com.* Hill. *Final Div.*

FAIRHEAD, EPHRAIM, Cattle-dealer, Cressing, near Braintree, Essex. June 11, at 2; Basinghall-st. *Com.* Evans. *Div.*

GEOGHEGAN, SLEATER, Engraver, 7 Palsgrave-pl., Strand. June 10, at 11.30; Basinghall-st. *Com.* Goulburn. *Div.*

HANBURY, JONATHAN, Grocer, Matfield-green, Brenchley, Kent. June 10, at 12; Basinghall-st. *Com.* Goulburn. *Div.*

INKERSOLE, JOHN, Brewer, Sawbridgeworth, Hertfordshire. June 9, at 12.30; Basinghall-st. *Com.* Fonblanque. *Div.*

LAIDLER, THOMAS (John Carr & Co.), Coke-burner, Jarrow, Durham; in copartnership with John Carr, Coalowner, Denton, Northumberland. June 11, at 12; Royal-arcade, Newcastle-upon-Tyne. *Com.* Ellison. *Div.* joint est.; and sep. est. of T. Laidler.

LAIDMAN, LEONARD, Stationer, 100 Chancery-la., and Wentworth-lodge, Coborn New-rd., Bow. June 11, at 1; Basinghall-st. *Com.* Evans. *Div.*

M'CARTHY, JOHN, Publican, Wheeler-st., Aston, Birmingham. June 10, at 10.30; Birmingham. *Com.* Balguy. *Div.*

MOORE, WILLIAM (Timbrell & Moore), Blue and Medley Dyer, Bradford, Wilts. June 11, at 11; Bristol. *Com.* Hill. *Final Div.*

SOLOMON, JOHN, Shipowner, 12 Circus, Minories, formerly of 62 Duke-st., Liverpool. June 9, at 11; Basinghall-st. *Com.* Fonblanque. *Div.*

TAYLOR, ALFRED, Builder, Wednesbury, Staffordshire. June 12, at 11.30; Birmingham. *Com.* Balguy. *Div.*

TURNER, JAMES, Oil and Grease Merchant, Newcastle-upon-Tyne. June 12, at 11; Royal-arcade, Newcastle-upon-Tyne. *Com.* Ellison. *First Div.*

WENDEN, WILLIAM, Cattle-dealer, Great Bromley, Essex. June 5, at 11; Basinghall-st. *Com.* Evans. *Last Ex.*

FRIDAY, *May* 22, 1857.

BRAY, THOMAS, Architect and Builder, Chelmsford, Essex, June 12, at 11.30; Basinghall-st. *Com.* Fane. *Div.*

BRYAN, JOHN, Electro-plater and Cutler, 8 Dyer's-bldgs., Holborn. June 12, at 1.30; Basinghall-st. *Com.* Fane. *Div.*

EVANS, OWEN, Surgeon, 148 Westbourne-ter., Hyde-park. June 12, at 12; Basinghall-st. *Com.* Fane. *Div.*

HARRADINE, JOHN THANG, Farmer, Needingworth, Huntingdonshire. June 13, at 11; Basinghall-st. *Com.* Fane. *Div.*

HELSBY, ROBERT, & JOSEPH HELSBY, Builders, Garston, Childwall, Lancashire., and Warrington. June 12, at 11; Liverpool. *Com.* Stevenson. *Div.* sep. ests. of each.

MARRIOTT, THOMAS, Tailor, Nottingham. June 16, at 10.30; Nottingham. *Com.* Balguy. *Div.*

MARTIN, FREDERICK, Innkeeper, Camelford-st., Brighton. June 2, at 2; Basinghall-st. *Com.* Fonblanque. (*By adj.* from May 5) *Last Ex.*

MORRIS, EDWARD JOSEPH, Wine and Spirit Dealer, Malpas, Cheshire. June 17, at 11; Liverpool. *Com.* Perry. *Div.*

NEALE, HARRIETT, WILLIAM NEALE, & JOHN NEALE, Hollow-ware Manufacturers, Liverpool. June 12, at 11; Liverpool. *Com.* Stevenson. *Div.*

PAXON, WILLIAM, Corn-dealer, 20 Queen's-rd., Bayswater. June 12, at 11; Basinghall-st. *Com.* Fane. *Div.*

RENNISON, FRANK (F. Rennison & Co.), Merchant, 21 Milk-st., Cheapside; also 8 Matson-ter., Kingsland-rd., Master of a Day-school. June 2, at 1.30; Basinghall-st. *Com.* Fonblanque. (*By adj* from May 5) *Last Ex.*

SOLOMON, SOLOMON, Tailor, 1 Strand. June 2, at 1; Basinghall-st. *Com.* Fonblanque. (*By adj.* from May 5) *Last Ex.*

TASKER, WILLIAM, & JOHN AUDUS, Potato Merchants, Selby, Yorkshire, and at Hampstead-rd. June 12, at 11; Leeds. *Com.* West. *Div.* joint est.; and sep. est. of W. Tasker.

TRIGGS, JAMES, WILLIAM TRIGGS, & EDWARD TRIGGS, Upholsterers, High-st., Southampton. June 12, at 12; Basinghall-st. *Com.* Fane. *Div.*

WELLS, THOMAS, Grocer, 34 Dorset-pl., Clapham-rd. June 3, at 12; Basinghall-st. *Com.* Fonblanque. (*By adj.* from April 17) *Last Ex.*

WHITESIDE, JOSEPH (Cousens & Whiteside), Watch and Clock Manufacturer, 27 Davies-st., Berkeley-sq. June 15, at 12; Basinghall-st. *Com.* Goulburn. *Div.*

WIMPENNY, URIAH, Woollen Cloth Manufacturer, Holme Bridge, Almondbury, Yorkshire. June 12, at 11; Leeds. *Com.* West. *Div.*

CERTIFICATES.

To be ALLOWED, *unless Notice be given, and Cause shown on Day of Meeting.*

TUESDAY, *May* 19, 1857.

BEVAN, EDWARD, Victualler, Kidderminster, Worcestershire. June 11, at 10.30; Birmingham.

BIRNSTINGL, LOUIS, Merchant, 8 Broad-st.-bldgs. June 10, at 1.30; Basinghall-st.

CLINCH, ROBERT, Livery-stable-keeper, Salisbury, Wilts. June 10, at 1.30; Basinghall-st.

FAITHFULL, HENRY (Droege, Faithfull, & Ledger), Shipowner, Woodstock-rd., East India-rd., Blackwall; formerly of Tonbridge-pl., Newrd. June 9, at 1; Basinghall-st.

GRIFFITH, RICHARD, sen., & RICHARD GRIFFITH, jun. (Griffith & Son), Brassfounders, 20 Hatton-wall, and 20 and 21 St. James's-walk, Clerkenwell. June 10, at 12; Basinghall-st.

HARVEY, JAMES STEEN, Grocer, Birmingham. June 18, at 10; Birmingham.

MEYER, MAURICE, & SIGISMUND SECHEL (Meyer & Co.), General Merchants, 30 Newgate-st. June 10, at 1; Basinghall-st.

TURNER, JAMES, Oil and Grease Merchant, Newcastle-upon-Tyne. June 12, at 11.30; Royal-arcade, Newcastle-upon-Tyne.

WATMOUGH, GEORGE, Draper, now of Bolton and Sheffield, formerly of Chester. June 25, at 1; Manchester.
WATMOUGH, EDWARD, Draper, Manchester. June 25, at 12; Manchester.

FRIDAY, *May* 22, 1857.

CATT, JESSE, Licensed Victualler, Ship Tavern, Little Tower-st. June 12, at 1; Basinghall-st.
HUGHES, THOMAS, Innkeeper, Dudley, Worcestershire. June 11, at 10.30; Birmingham.
KING, JOSEPH FRANCIS, Builder, 3 Bellevue-villas, Seven Sisters-rd., Holloway. June 15, at 11; Basinghall-st.
MARRIOTT, THOMAS, Tailor, Nottingham. June 16, at 10.30; Nottingham.
MOORE, EDWARD DUKE, Merchant. Broomfield House, Southgate, and 114 Minories. June 12, at 2; Basinghall-st.
WHISTON, FREDERICK WILLIAM, Druggist, Birmingham. June 18, at 10.30; Birmingham.
WOOD, ALFRED CHARLES, Linendraper, Pershore, Worcestershire. June 11, at 10.30; Birmingham.

To be DELIVERED, *unless* APPEAL *be duly entered.*

TUESDAY, *May* 19, 1857.

BAILEY, WILLIAM LAMONT, & RICHARD HARVEY, jun., Merchants, 23 Crutched-friars. May 13. 2nd class to R. Harvey, jun.
BALDING, JAMES, Hat Manufacturer, Kings Arms-pl., Old Kent-rd. Feb. 17, 3rd class.
BEE, FRANCIS, Table-knife Manufacturer, Sheffield, Yorkshire. May 9, 3rd class.
BRADBURY, SAMUEL, Cheesemonger, 100 Holborn-hill. May 26, 3rd class; to be suspended for two years from May 26.
BUNTING, HORATIO, Seedsman, Colchester, Essex. May 13, 2nd class.
CAMPIN, HENRY, Warehouseman, 87 Watling-st. May 12, 2nd class.
COOPER, CHARLES, Grocer, High-st., Wandsworth, Surrey. May 14, 2nd class.
SMITH, JAMES, Cattle-dealer, Egham Hythe, Egham, Surrey. May 12, 2nd class.
MOSLEY, EDWIN, Goldbeater, 5 Hyde-st., Bloomsbury. May 13, 2nd class.
ROBSON, CHARLES OSWALD, Wharfinger, Belmont Wharf, York-rd., King's-cross. May 11, 3rd class; to be suspended for three months from May 11
SPILSBURY, GEORGE, Builder, Wolverhampton, Staffordshire. May 14, 2nd class.
STOVELD, MARGARET JANE, Shipbuilder, Blyth, Northumberland. May 15, 3rd class; to be suspended until Sept. 29.
SUCKLING, JOSEPH, jun., Hop and Provision Dealer, Birmingham May 14, 3rd class, after a suspension of one year and six months.

FRIDAY, *May* 22, 1857.

GEOGHEGAN, SLEATER, Engraver, 7 Palsgrave-pl., Strand, May 18, 2nd class.
HAWKINS, JAMES, Corn Dealer, Richmond-st., Woolwich, Kent. May 18, 3rd class; having been suspended from Nov. 14, 1856, to Feb. 14, 1857.
LLOYD, DAVID, Merchant, 36 Cannon-st., and Lewisham, Kent. May 14, 3rd class.
PULBROOK, FREDERICK, Grocer, Surbiton, Kingston-upon-Thames. May 15, 3rd class.
STANBURY, JOSHUA DOWNING, Draper, Richmond, Surrey. May 15, 1st class.
WAKINSHAW, JAMES, Iron Manufacturer, Monk Wearmouth Iron Works, Monk Wearmouth, Sunderland. May 19, 3rd class; subject to suspension until 1st Sept. next.
WALTERS, JOSEPH, Hatter, Northampton. May 15, 2nd class.
WARD, LUKE, Plumber, Wisbech Saint Peter, Cambridgeshire. May 15, 3rd class.

DIVIDENDS.

TUESDAY, *May* 19, 1857.

BOUGH, JAMES, Carpet Manufacturer, Kidderminster. First Div. 1*s.* 9½*d.* on new proofs, being portion of first div. of 2*s.* *Christie*, 37 Waterloo-st., Birmingham; any Thursday, 11 and 3.
BRIDGMAN, CHRISTOPHER VICKERY, Scrivener, Tavistock, Devon. First, 3*s.* 6*d.* *Hirtzel*, Queen-st., Exeter; any Tuesday or Friday, 11 and 2.
CHARLES, ROBERT RUMNEY, & WILLIAM FORDYCE, Paper Manufacturers, Haughton. First, 2*s.* 6*d.* joint est.; and 5*s.* sep. est. W. Fordyce. *Baker*, Royal-arcade, Newcastle-upon-Tyne; any Saturday, 10 and 3.
HART, RICHARD, Wine and Spirit Merchant, Hartlepool. First and final, 2*s.* 6*d.* *Baker*, Royal-arcade, Newcastle-upon-Tyne; any Saturday, 10 and 3.
HEMINGSLEY, THOMAS, Cut-nail Manufacturer, Walsall. First, 1*s.* 5¼*d.* *Christie*, 37 Waterloo-st., Birmingham; any Thursday, 11 and 3.
HOWGATE, HENRY, & GEORGE HOWGATE, Steel Converter, Sheffield. First, 5*s.* *Brewin*, 11 St. James's-st., Sheffield; any Tuesday, 11 and 2.
MEEKE, JOSEPH, Draper, Sheffield. Second, 7½*d.*; and first and second on new proofs, 2*s.* 10½*d.* *Brewin*, 11 St. James's-st., Sheffield; any Tuesday, 11 and 2.
RODGERS, THOMAS, Grocer, Attercliffe-cum-Darnall, Yorkshire. First, 6*s.* *Brewin*, 11 St. James's-st., Sheffield; any Tuesday, 11 and 2.
ROWE, EDWARD, & EDWARD ROWE, jun., Stationers, Penzance, Cornwall. Second, 9¾*d.* *Hirtzel*, Queen-st., Exeter; any Tuesday or Friday, 11 and 2.
SMITH, MATTHEW, Manufacturer, Sheffield-st. First, 2*s.* *Brewin*, 11 St. James's-st., Sheffield; any Tuesday, 11 and 2.
UNWIN, GEORGE, Scale Presser, Sheffield. First, 7¾*d.* *Brewin*, 11 St. James's-st., Sheffield; any Tuesday, 11 and 2.
WOOD, BENJAMIN, Boiler Manufacturer, Sheffield. Second, 1*s.* 6¼*d.*; and first and second on new proofs, 5*s.* 6¼*d.* *Brewin*, 11 St. James's-st., Sheffield; any Tuesday, 11 and 2.

FRIDAY, *May* 22, 1857.

JOHNSON, JOHN, Ironmonger, Bourn, Lincolnshire. Second, 5*d.* *Harris*, Middle-pavement, Nottingham; next three Mondays, 11 and 3.
RIDGE, GEORGE, & THOMAS JACKSON, Booksellers, Sheffield. Second, 5*s.* 7¾*d.*; and first and second, 12*s.* 3¼*d.*, on new proofs. *Brewin*, 11, St. James's-st., Sheffield; any Tuesday, 11 & 2.
ROBERTS, GEORGE, Draper, Stamford, Lincolnshire. First, 3*s.* *Harris*, Middle-pavement, Nottingham; next three Mondays, 11 and 3.

Professional Partnerships Dissolved.

FRIDAY, *May* 22, 1857.

COOKE, JNO. & J. E. BEALES, Attorneys and Solicitors, 1 Paper-bldgs., Temple; and Wallingford, Berks. March 7.
CUTLER, CHARLES, & HENRY DRUCE, Attorneys and Solicitors, 5 Bell-yd., Doctors'-commons. May 2.
MARDON, WILLIAM, & WILLIAM TAYLOR PRICHARD, Solicitors and Attorneys, Christ-chambers, 99 Newgate-st. May 20.

Assignments for Benefit of Creditors.

TUESDAY, *May* 19, 1857.

BARBER, GEORGE, & GEORGE SHACKLETON, Brewers, Wakefield, Yorkshire. May 6. *Trustees*, T. Harrison, Maltster, Field-head, Stanley-cum-Wrenthorpe, Wakefield; J. Dyson, Hop Merchant, Chapelthorpe, Sandal Magna, Yorkshire. *Sols.* Harrison & Nettleton, Wakefield.
BASSE, JAMES, & SOLOMON LINDO, Wine and Spirit Merchants, 4 Savage-gardens, Tower-hill. May 14. *Trustees*, E. C. Nicholls, Esq., Skinner's-pl., Size-la.; C. F. Kemp, Accountant, 7 Gresham-st. *Sols.* Lawrence, Smith, & Fawdon, 12 Bread-st., Cheapside.
CANSDALE, JAMES MAYHEW, Draper, Liverpool. April 27. *Trustees*, T. P. Tyas, Warehouseman, Manchester; F. Price, Licensed Victualler, Liverpool. *Sol.* Bell, Manchester.
DERHAM, RICHARD JONES, Cooper, Bristol. May 7. *Trustees*, T. Reynolds, Iron Merchant, Bristol; E. H. Shoard, Timber Merchant, Bristol. *Sols.* Brittan & Sons, Small-st., Bristol.
HIRST, GEORGE MILNES, & WILLIAM FREDERICK WILMAN, Manufacturers, Batley, Yorkshire. May 1. *Trustees*, J. Bagshaw, T. Hirst, J. Blackburn, and J. Hall, Batley. *Sols.* Scholes & Son. Dewsbury.
HIRST, GEORGE MILNES, GEORGE HIRST, & WILLIAM FREDERICK WILMAN, Manufacturers, Batley, Yorkshire. May 1. *Trustees*, T. Hirst and J. Bagshaw, Batley. *Sols.* Scholes & Son, Dewsbury.
MOORE, HENRY, & THOMAS MOORE, Woolstaplers, Leatherhead, Surrey. April 22. *Trustee*, G. F. Arthur, Grocer, Leatherhead. *Sol.* White, Epsom.
OVITTS, GEORGE, & CORNELIUS WILLIAM OVITTS, Upholsterers, 238 High-st., Poplar, and 60 High-st., Gravesend. April 25. *Trustee*, T. Tapling, Carpet Warehouseman, Wood-st. *Sols.* Lawrence, Smith, & Fawdon, 12 Bread-st., Cheapside.
ROBINSON, MARY JANE, Spinster, 106 North Marine-rd., Scarborough. April 22. *Trustees*, W. Simpson, Cabinetmaker, Scarborough; R. T. Morley, Draper, Scarborough. *Sols.* Hesp, Uppleby, & Moody, Scarborough.
ROE, FREDERICK, Grocer, Leicester. April 28. *Trustees*, J. Swain and T. Nunneley, Wholesale Grocers, Leicester. *Sol.* Stevenson, New-st., Leicester.
YAPP, JOHN, Jeweller, Birmingham. May 8. *Trustees*, J. Thomason, Silversmith, Birmingham; T. Aston, Jeweller, Birmingham. *Sols.* Gem, Docker, & Sutton, 1 New Hall-st., Birmingham.

FRIDAY, *May* 22, 1857.

BURNETT, DAN, Stonemason, Halifax, Yorkshire. May 9. *Trustees*, J Wormersley, Stone Merchant, Southowram, Halifax; J. Haigh, Stone Merchant, Northowram; W, Barrett, Stone Merchant, Halifax. *Sol.* Robson, 16 George-st., Halifax.
HARTLEY, JAMES SMYTH, Cotton Manufacturer, Colne, Lancashire, and GEORGE LORD, Commission Agent, Colne. April 22. *Trustees*, W. H. Ormerod, Commission Agent, Manchester; T. Hartley, Sizer, Colne. *Sols.* Sale, Worthington, & Shipman, 64 Fountain-st., Manchester.
WORSLEY, Rev. WILLIAM, Dissenting Minister, Morton, Gainsborough, Lincolnshire. April 27. *Trustees*, F. Gamble, Merchant, Gainsborough; W. Forrest, Gent., Gainsborough. *Sol.* Worsley, Gainsborough.

Winding-up of Joint Stock Companies.

TUESDAY, *May* 19, 1857.

UNITED GENERAL BREAD AND FLOUR COMPANY FOR PLYMOUTH, STONEHOUSE, AND DEVONPORT.—A special resolution to wind up voluntarily this Company was passed in a General Meeting held May 12.

FRIDAY, *May* 22, 1857.

CROOKHAVEN MINING COMPANY OF IRELAND.—A petition for the dissolution and winding up of this Company was, on May 21, presented by Francis Smith and George Clement, which will be heard before V. C. Wood on June 6. Gregson & Son, Sols., 8 Angel-ct., Throgmorton-st., agents for Scrivens & Young, Hastings.
EASTERN ARCHIPELAGO COMPANY (Limited).—All persons having any claims on this Company are to present and prove the same on or before July 1.—63 Cornhill.

Scotch Sequestrations.

TUESDAY, *May* 19, 1857.

AITKEN, WILLIAM, Baker, Polmont, Falkirk. May 25, at 2, Red Lion Hotel, Falkirk. *Seq.* May 15.
BROWN, THOMAS, Commission Agent, 7 Melville-st., Portobello. May 26, at 3, Dowells & Lyon's Rooms, 18 George-st., Edinburgh. *Seq.* May 14.
CUMMING, JOHN HISLOP (Angus Cumming & Co.), Commission Merchants, Virginia-st., Glasgow. May 26, at 12, Buck's Head Hotel, Argyle-st., Glasgow. *Seq.* May 13.
DOUGLAS, JOHN, Measurer, Glasgow. May 26, at 12, Globe Hotel, George-sq., Glasgow. *Seq.* May 13.
HOOD, JAMES RAMAGE (Hood & Co.), Draper, Kelso. May 22, at 3, Smiths & Robson, Sols., Kelso. *Seq.* May 12.

FRIDAY, *May* 22, 1857.

M'NAIR, GILBERT BEITH (Virtue & M'Nair), Wholesale Fruit Merchant, Glasgow. May 29, at 12, Faculty Hall, Saint George's-pl., Glasgow. *Seq.* May 20.
MILLS, JAMES, Dyer, Glasgow. June 1, at 2, Globe Hotel, George-sq., Glasgow. *Seq.* May 20.
STUART, ROBERT, Commission Merchant, Glasgow. May 27, at 2, Faculty-Hall, St. George's-pl., Glasgow. *Seq.* May 18.
WATSON, ALEXANDER, & WILLIAM HOUSTON REID, Painters, Glasgow. June 1, at 12, Globe Hotel, George-sq., Glasgow. *Seq.* May 20.
WHYTE, ROBERT (Whyte, Brothers, & Co.), Wool Merchants, Glasgow. May 29, at 1, Maclean's Globe Hotel, George-sq., Glasgow. *Seq.* May 15.
WILLIAMSON, JAMES, North Richmond-st., Edinburgh (lately Prisoner in the Prison of Edinburgh). May 27, at 3, Stevenson's Rooms, 4 Saint Andrew-sq., Edinburgh. *Seq.* May 16.

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